

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37331 of 2014

Arising Out of PS.Case No. -3 Year- 2013 Thana -MAHILA P.S. District- SIWAN

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Ram Naresh Sinha, S/O Shivpujan Thakur, Resident of Village- Sikatia,
P.O.- Sikatia, P.S.- Maharajganj, District- Siwan at present (Assistant
Teacher) Govt. Middle School, Daraunda, P.S.- Daraunda, District- Siwan.

.... Petitioner

Versus

1. The State of Bihar
2. Chandrawati Devi W/O Ram Naresh Sinha (Teacher) Resident of
Village- Sikatia, P.O.- Sikatia, P.S.- Maharajganj, District- Siwan.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
: Mr. Manindra Nath Tiwari, Advocate
For the Opposite Party no.2 : Mr. Umesh Kr. Mishra, Advocate
For the State : Mr. Suresh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 06-12-2017 Heard the learned counsel for the petitioner, the

State and the opposite party no. 2.

In furtherance of the order dated 29.11.2017, the
learned counsel for the petitioner has produced a draft bearing
no. 841240203 dated 02.12.2017 drawn on HDFC Bank for a sum
of Rs. 5 lacs to be paid to the opposite party no. 2 in full and final
settlement of all the disputes.

The learned counsel for the parties have further
submitted that the matter was settled earlier before the Lok Adalat,
Siwan and a settlement was reached with a condition that the
petitioner would pay a sum of Rs. 5,000/- per month as



maintenance to the opposite party no. 2. It was further agreed between the husband and the wife that both the parties would not file cases against each other.

It is agreed by the learned counsel for the parties (on instruction of their respective clients) that the aforesaid terms and conditions mentioned in the order of the Lok Adalat, Siwan dated 30.05.2007, to which the settlement petition has been annexed which is dated 28.05.2007, would be adhered to.

In view of the undertaking of the learned counsel for the parties to adhere to the aforesaid order passed by the Lok Adalat as well as with a view to give quietus to the disputes between the petitioner and opposite party no.2, a draft of a sum of Rs. 5 lacs is being paid by the husband to the wife, the parties are in agreement that the connected Mahila PS case no. 03 of 2013 as well as the order dated 09.05.2013 passed by the learned Chief Judicial Magistrate, Siwan whereby and whereunder, cognizance has been taken, should be quashed.

In view of the aforesaid, the draft of a sum of Rs. 5 lacs is directed to be handed over to the learned counsel for the opposite party no.2 and consequently, the proceedings pertaining to Mahila PS case no. 03 of 2013 as well as the order dated 09.05.2013 passed by the learned Chief Judicial Magistrate,



Siwan in the said case are hereby quashed.

The petition is disposed of in the aforesaid terms.

(Mohit Kumar Shah, J.)

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