

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15809 of 2012

Arising Out of PS.Case No. -0 Year- null Thana -null District- PATNA

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1. Sanjay Kumar Sinha S/O Late Tulsi Prasad Sinha R/O Jagriti Nagar, Ashiana Road, P.S. Rajiv Nagar, Distt. - Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Dr. Sarita Sinha W/O Sanjay Kumar Sinha R/O Jagriti Nagar, Ashiana Road, P.S. Rajiv Nagar, Distt. - Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandeep Kumar, Advocate
For the Opposite Party/s : Mr. Shyam Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 07-09-2017

Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing for the State.

2. The petitioner is husband of Opposite Party No.2. Opposite Party No.2 had filed Complaint Case No.1746(C) of 2011 wherein cognizance was taken against the petitioner for the offence under Section 498A of the Indian Penal Code on 08.12.2011 by Smt. Reshma Verma, learned Judicial Magistrate, Patna. The aforesaid order is under challenge in this application.

3. The order dated 12.09.2012 reveals that the parties agreed for restoration of their matrimonial relationship. Accordingly, further proceeding of complaint case was stayed. The Opposite Party



No.2 has not appeared to oppose the prayer probably for the reason of the aforesaid order and considering the chances of restoration of conjugal life.

In the circumstances, continuance of the criminal prosecution before the Court-below would thwart the chances of amicable settlement between the parties. Hence, for the ends of justice the same cannot be allowed. Accordingly, the impugned order including the entire criminal prosecution against the petitioner stands quashed and this application stands allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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