

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4140 of 2013

In
Cr.Misc. 35471 of 2007

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1. Prachi Deva @ Prachi Goyal @ Prachi Daughter Of Shri Rajib Deva
 Resident Of 658/1 Colonelganj, District- Allahabad (U.P.)

.... Petitioner

Versus

1. The State Of Bihar Through Chief Secretary, Patna Secretariat, Patna
 Null Null

2. Rohit Goyal Son Of S.K. Goyal Resident Of C/O C.M. Sharma, W-
 12/69, Sainik Farms, New Delhi- 62

.... Respondents

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with

Miscellaneous Jurisdiction Case No.4775 of 2014

IN
Cr.Misc. 35471 of 2007

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1. Rohit Goyal son of Sri Shiv Kumar Goyal resident of W-12/69 Western
 Avenue, Sainik Farms, Ps-Neb Sarai, New Delhi

.... Petitioner

Versus

1. The State of Bihar through Sri Abhay Kumar Singh, District Magistrate ,
 Patna.

2. Mrs. Prachi Goyal @ Prachi Deva @ Prachi wife of Sri Rohit Goyal
 daughter of Sri Rajeev Goyal residing at-6, Bailey Road, Ps- Kotwali,
 District- Patna-800001(Bihar)

.... Respondent/s

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Appearance :

(In MJC No.4140 of 2013)

For the Petitioner/s : Mrs. Soni Shrivastava, Advocate

For the Respondent/s : Mr. Devendra Kr Sinha, Advocate

(In MJC No.4775 of 2014)

For the Petitioner/s : Mr. Ravindra Kr Sinha No.2, Advocate

For the Opposite Party No.2: Mrs. Soni Shrivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH

ORAL ORDER

12 19-07-2017 It is big sense of relief that the disputes between the parties
 which traveled to the Court as early in the year 2006 now stands
 settled. In the series of legal battle, a case under Section 498A of
 I.P.C. was filed by Prachi Deva @ Prachi Goya @ Prachi against



her husband Rohit Goyal. Thereafter, bail applications were filed and matter traveled to this Court being Criminal Misc. No.35471 of 2007. Due to cooperative attitude of the parties as well as concerned lawyers, an understanding was reached and the detailed terms of settlement finds place in the order, dated 19.12.2007 passed in Criminal Misc. No35471 of 2007.

Though the parties took steps in terms of settlement, there were complaint against each other for not following some of the terms and conditions of settlement in its letter and spirit. As such, M.J.C. No.4140 of 2013 and M.J.C. No.4775 of 2014 were filed by the parties for initiating contempt proceeding against the other. The matter now finally stands settled in terms of the order, dated 28.6.2017 passed in the instant case. However, it appears from perusal of the order, dated 28.6.2017 that in 7th line of the order at page No.2 the words “Complaint petition” has been inadvertently typed in place of “petition”. Let the same be read as “petition” in place of “Complaint petition”.

In the aforesaid order, dated 28.6.2017 passed in the instant case, this Court observed that Prachi Devi would file a petition before the court below for staying of the proceedings in Complaint Case No.3055C/2006 and for not taking any coercive steps against Opposite parties as settlement has been arrived between the parties. This Court had further observed that Prachi Deva would



also file a copy of petition before this Court along with a supplementary affidavit, which has been filed today in the Court.

In terms of the order of this Court and the petition filed by Mrs. Prachi Goyal @ Prachi Devi @ Prachi, the trial Court has rightly stayed the proceedings as settlement has been arrived at between the parties.

Mr. R.K. Sinha, learned counsel states that Rohit Goyal and his parents, whom he represents, would honour the settlement arrived at between the parties vide order, dated 28.6.2017 passed in the instant case.

Considering the facts and circumstances of the case, the interim order granted by the trial court granting no coercive steps against Rohit Goyal and his parents, would continue for a period of two years, by which time they would pay the entire amount as stipulated in the order, dated 28.6.2017 passed in the instant case. Once the amount is paid as per order of this Court, the trial court would drop/close the complaint within six weeks taking into consideration that the settlements have already been arrived at between the parties

Both M.J.C. Nos. 4140 of 2013 and 4775 of 2014 are, accordingly, disposed of.

(Samarendra Pratap Singh, J)

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