

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32035 of 2013

Arising Out of PS.Case No. -1877 Year- 2012 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Sunil Kumar Singh Son Of Late Bindeshwar Singh R/O Village-Manikchowk,
Kamaldah Tola, P.S.-Runnishaipur, District-Sitamarhi

.... Petitioner

Versus

1. The State Of Bihar
2. Aarti Singh Wife Of Sunil Kumar Singh R/O Village-Manikchowk, Kamaldah
Tola, P.S.-Runnishaipur, District-Sitamarhi, Daughter Of Shyam Sunder Prasad @
Muni Ji, At Village-Shikhpur, P.S.-Ahiyapur, Distt-Muzaffarpur

.... Opposite Parties

with

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Criminal Miscellaneous No. 34075 of 2014

Arising Out of PS.Case No. -43 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

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Sunil Kumar Singh Son of Late Bindeshwar Singh Resident of Village -
Manikchowk, Kamaldah Tola, P.S.- Runnisaipur, District - Sitamarhi

.... Petitioner

Versus

1. The State of Bihar
2. Aarti Kumari Wife of Sri Sunil Singh Resident of Village - Manikchowk,
Kamaldah Tola, P.S.- Runnisaipur, District - Sitamarhi Daughter of Shyam
Sundar Sigh, Resident of Umesh Nagar, Shekhpur, P.S.- Ahiyarpur, District -
Muzaffarpur

.... Opposite Parties

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Appearance :

(In Cr.Misc. No.32035 of 2013)

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

(In Cr.Misc. No.34075 of 2014)

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 23-06-2017

In both Cr. Misc. Nos.32035 of 2013 and 34075 of 2014,



the order dated 8.3.2013 passed in Complaint Case C-1/1877 of 2012 whereby cognizance has been taken under Section 498A of the Indian Penal Code is challenged.

2. Learned counsel for the petitioner submits that disputes between husband and wife has already been compromised, and as one time settlement the petitioner (husband) has given a bank draft of Rs.8,25,000/- to his wife as a final settlement and both sides agree to withdraw all cases filed by both sides. The husband had already filed a Matrimonial Suit No.191 of 2015 seeking divorce under Section 13(1) of the Hindu Marriage Act and the wife had filed a Guardian and Ward Case No.01 of 2016 for the custody of child but both the cases already disposed of on the basis of compromise a copy of the said order and the compromise petition has been filed as well as the supplementary affidavit in this regard by the petitioner.

3. Learned A.P.P. concedes that the supplementary affidavit shows that the compromise has been made between the husband and wife.

4. Having considered the said fact of compromise between the husband and wife, there is no point in further proceeding with the present criminal case rather it would be abuse of the process of the Court so the cognizance order dated 1.9.2014 taken in Complaint Case No.C-1/1877 of 2012 also cognizance order dated



1.7.2014 and further criminal proceeding in the court below is set aside.

5. Accordingly, this application is allowed.

(Arun Kumar, J)

N.H./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	10-07-2017
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