

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19932 of 2014

Arising Out of PS.Case No. -2928 Year- 2010 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Shams Gulrez @ Naiyer, Son of Abdul Majeed,
2. Abdul Mazeed, Son of Late Abdul Rashid,
3. Samiwoon Nesa, Wife of Abdul Majeed
4. Shams Tabrez @ Raju, Son of Abdul Majeed,

All are resident of village- Madhopur, P.O.- Madhopur, Via- Barharia, P.S.-
Barharia, District- Siwan

.... Petitioners

Versus

1. The State of Bihar
2. Rizwan Khatoon, Daughter of Naquee Ahmad @ Nakir Ahmad, Resident of
Village- Nawada Parsouni, P.O.- Manbodh Parsouni, P.S.- Unchakagaon,
District- Gopalganj

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jagjit Roshan

For the Opposite Party/s : Mr. Humayu Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL JUDGMENT

Date: 20-06-2017

1. The petitioners seek quashing of order dated
28.04.2011 passed by SDJM, Gopalganj in Complaint Case No.
2928 of 2010.

2. Heard both sides.

3. The learned counsel for the petitioners while pressing
the criminal miscellaneous application, submits that the matter
between both the parties has been settled. As per the settlement, the
marriage between the parties has been dissolved and both parties are
residing separately. The Opposite Party No. 2 has already received



an amount of Rs. 465,000/- as per two A/c payee cheque towards full and final settlement from her husband. The learned counsel for the petitioners filed a web copy of the order dated 19.01.2016 passed by this Court in Criminal Revision No. 496 of 2013 and copy of memorandum of mediation proceeding No. 436 of 2015 of Patna High Court Mediation Centre to show that the complaint Case No. 2928 of 2010, Trial No. 2663 of 2015 pending before the Sub Divisional Judicial Magistrate, Gopalganj and Title Suit No. 109 of 2011 pending before the Sub Judge-VIII, Siwan between the parties have been directed to be dropped by this Court but in spite of said order, the case are still pending.

4. The learned APP for the State concedes to this submission of the learned counsel for the petitioners that the matter has been settled between the parties.

5. In the above view of the matter, this criminal case is disposed of. The court below is expected to pass necessary order in accordance with law in light of observation of this Court given in Criminal Revision No. 496 of 2013.

(Sanjay Kumar, J)

ajaypd./-

AFR/NAFR	NAFR
CAV DATE	NA
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