

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40711 of 2014

Arising Out of PS.Case No. -399 Year- 2013 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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Dharmendra Kumar Son of Sri Ramanand Singh Resident of Village Mewa
Bigha, Police Station- Daud Nagar, District- Aurangabad (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar null null
2. Veena Kumari daughter of Sri Shyam Bihari Singh, wife of Dharmendra
Kumar presently residing of Village -Purhara, P.S. -Haspura, District-
Aurangabad (Bihar)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Ram Chandra Sahni(App)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 28-08-2017 Despite repeated calls, no one appears on behalf of
the petitioner.

The instant case has been filed for quashing the order
dated 23.3.2014/24.03.2014 passed by S.D.J.M., Daud Nagar in
Complaint Case No. 399 of 2013 whereby the learned Magistrate
took cognizance under sections 498(A), 323 and 504 of the Indian
Penal Code.

Since the dispute involved between the husband and
wife and in view of the recent judgment of the Apex Court, this
court has explore the possibility of compromise between the
parties and in that view of the matter notice was issued vide order



dated 05.12.2014 to the opposite party no.2 but unfortunately neither petitioner nor opposite party no.2 is present to assist the court.

Under the compelling circumstances, the petition is disposed of with direction to the court below to take step to explore possibility of compromise between the husband and wife to ensure restoration of normal conjugal life by referring the matter to the Mediation Centre at Aurangabad and the Mediation Centre is directed to make all efforts to persuade to the parties to resolve their disputes and submit a report to the court below and the court below is further directed to pass order on the basis of report of the Mediation Centre as well as considering the submission of the parties after report of Mediation Centre.

It goes without saying that the court below will encourage settlement of the dispute between the husband and wife in view of the judgment of the Apex Court in the case of ***Jitendra Raghuvanshi and another vs. Babita Raghuvanshi and another reported in (2013) 4 SCC 58.***

(Anil Kumar Upadhyay, J)

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