

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50418 of 2014

Arising Out of PS. Case No.-1454 Year-2010 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Anand Kumar Singh Son of Sri Raghunath Singh, resident of village-
Bangara, P.S.- Mairwa, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mukti Nath Singh son of Late Malik Singh
3. Ragni Devi wife of Anand Kumar Singh, daughter of Mukti Nath Singh, Both residents of village- Amatha, P.S.- Mirganj, District- Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. ANIL PRASAD SINGH (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

Date : 13-12-2017

Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the O.P. No. 2 and
3.

This petition under Section 482 of the Cr.P.C has
been filed for quashing the order dated 02.05.2011 passed by
Sub-Divisional Judicial Magistrate, Gopalganj in Complaint
Case No. 1454 of 2010 (Tr. No. 3600 of 2010) by which
cognizance has been taken against the petitioner under Sections
498A and 406 of the I.P.C.

One Mukti Nath Singh father of O.P No. 2 filed a
complaint case No. 1454 of 2010 before the learned Chief



Judicial Magistrate, Gopalganj. The case was sent to the learned Sub Divisional Judicial Magistrate, Gopalganj, under Section 192 of Cr.P.C for enquiry who examined the complainant on S.A. and inquiry witnesses and took cognizance on 02.05.2011 under Section 498A and 406 of the IPC and issued summons against him to face the trial.

Briefly stated, as per complaint petition, Mukti Nath Singh arranged marriage of his daughter with the petitioner. The marriage was solemnized on 21.06.2009. At the time of Bidai the accused persons demanded colour T.V and gold chain and were not ready for Bidai. On great persuasion Bidai was done and his daughter went to her in-laws house but she was being tortured for non fulfillment of aforesaid demand. The complainant went to the petitioner's village with other persons and tried to pacify the dispute, but the accused persons did not listen to them and ousted his daughter from the house and also kept her ornaments and other articles with them. The petitioner is husband of Opposite Party No. 2 and has stated that allegations of demand of dowry is false and concocted. It has further been stated that the dispute between the parties have been settled and a compromise petition has been filed before the learned trial court and on payment of Rs. 2 Lacs in terms of



compromise entered between the parties, the marriage has been permanently dissolved. The amount has been paid to her which she has accepted and from the order dated 19.06.2013, it appears that complainant has received the said amount, as such the matter has been compromised between the parties, the present proceeding should be quashed.

Notices were issued to Opposite Party No. 2 and 3 and they have appeared through their counsel. Both learned counsel for the petitioner and learned counsel for Opposite Party No. 2 and 3 have accepted that parties have settled the dispute between themselves and have also filed a compromise petition before the court below and as such on the basis of compromise petition and in terms of conditions of compromise petition, the continuance of present proceeding will amount to an abuse of the process of court and as such in the interest of justice, the present proceeding is quashed.

The petition stands allowed.

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	18.12.2017
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