

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 15162 of 2014

Arising out of P.S. Case No. - 911 Year - 2013 Thana - GAYA COMPLAINT CASE District - GAYA

- =====
1. Renu Sinha, Wife of Late Mithelesh Kumar Singh
 2. Kavita Sinha @ Kavita Choudhary, W/O Niraj Kumar
 3. Anamika @ Sweety, W/O Santosh Kumar
 4. Kamla Prasad Sinha @ Kamla Prasad Singh, S/O Late Basudeo Narayan Singh
All resident of Mohalla - Mohan Nagar, Koili Pokhar, P.S. - Rampur,
District - Gaya.

.... Petitioners

Versus

1. The State of Bihar
2. Dr. Madhu, W/O Dr. Pankaj Kumar, D/o K. N. Singh, Resident of Quarter No. - 1014, P.S. Sector - 4C, Bokaro Steel City, Sector - 4, District - Bokaro (Jharkhan) At present residing at - Maternity Home, Durga Kund, Near C.H.O. Office, Varanashi (U.P.)

.... Opposite Parties

With

=====

Criminal Miscellaneous No. 20789 of 2014

Arising out of P.S. Case No. - 94 Year - 2013 Thana - GAYA COMPLAINT CASE District - GAYA

=====

Dr. Pankaj Kumar @ Pankaj Kumar, S/O Late Mithilesh Kumar Singh, Resident of Mohalla - A.P. Colony, P.S. - Rampur, District - Gaya.

.... Petitioner

Versus

1. The State of Bihar.
2. Dr. Madhu, W/O Dr. Pankaj Kumar, D/o Dr. K.N. Singh, resident of Quarter No. 1014, Sector - 4C, Bokaro Steel City, Sector - 4, District - Bokaro (Jharkhand), At present residing at - Maternity Home, Durga Kund, Near C.H.O. Office, Varanashi (U.P.)

.... Opposite Parties

=====

Appearance:

(In Cr. Misc. No.15162 of 2014)

For the Petitioner : Mr. Krishna Prasad Singh, Sr. Advocate
Mrs. Meena Singh, Advocate
For the Opposite Party No. 2 : Mr. Priyank Deepak, Advocate
For the State : Mrs. Anita Singh, A.P.P.

(In Cr. Misc. No. 20789 of 2014)

For the Petitioner : Mr. Krishna Prasad Singh, Sr. Advocate
Mrs. Meena Singh, Advocate
For the Opposite Party No. 2 : Mr.
For the State : Mrs. Anita Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 23-11-2017



Heard learned counsel for the parties.

Both the aforesaid criminal miscellaneous petitions have been filed by the accused persons of Complaint Case No. 911 of 2013 brought by opposite party no. 2 for offence under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Both applications, under Section 482 Cr.P.C., were preferred against the order of cognizance dated 16.07.2013 passed by the learned Sub-Divisional Judicial Magistrate, Gaya.

Submission of the learned counsel for the parties is that they have entered into a compromise, hence, continuance of criminal proceeding would amount to an abuse of the process of the Court.

Considering the nature of allegation and factum of compromise, the continuance of criminal proceeding would amount to an abuse of the process of the Court.

Hence, for substantial justice, the impugned orders stand quashed and both the applications are allowed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	25.11.2017
Transmission Date	25.11.2017

