

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37578 of 2011

RAJESH PRASAD S/O SHRI RAM CHANDRA PRASAD
RESIDENT OF MOHALLA- GURUDWARA ROAD (TOWARDS
THE RIVER), P.S.- JAGANNAATHPUR, DISTRICT- RANCHI,
STATE - JHARKHAND

RAM CHANDRA PRASAD S/O LATE PRASADI SHARMA
RESIDENT OF MOHALLA- GURUDWARA ROAD (TOWARDS
THE RIVER), P.S.- JAGANNAATHPUR, DISTRICT- RANCHI,
STATE - JHARKHAND

GIRIJA DEVI W/O RAM CHANDRA PRASAD RESIDENT OF
MOHALLA- GURUDWARA ROAD (TOWARDS THE RIVER),
P.S.- JAGANNAATHPUR, DISTRICT- RANCHI, STATE -
JHARKHAND

MADHUBALA DEVI D/O RAM CHANDRA PRASAD
RESIDENT OF MOHALLA- GURUDWARA ROAD (TOWARDS
THE RIVER), P.S.- JAGANNAATHPUR, DISTRICT- RANCHI,
STATE – JHARKHAND

... .. Petitioners

Versus

THE STATE OF BIHAR

REKHA DEVI W/O RAJESH PRASAD AND D/O SHRI ASHOK KUMAR
AT PRESENT MOHALLA- QUARTER NO.552/B LOCO COLONY, P.O.-
GAYA, DISTRICT- GAYA-823002

... .. Opposite Parties

Appearance :

For the Petitioner/s :	Mr. Birendra Narayan Sharma
For the Opposite Party/s :	Mr. SHYAM BIHARI SINGH (APP)
For the O.P. No. 2:	Mr. Amarendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL JUDGMENT

Date : 07-09-2017

The instant criminal miscellaneous application
has been filed for quashing the order dated 20.10.2011
passed by learned Judicial Magistrate Ist Class, Gaya in
Complaint Case No. 1560 of 2008, Trial No. 2255 of
2011 whereby and whereunder the petition filed by the
petitioner under Section 245 Cr.P.C. for discharging the



petitioners from the accusation of this case has been rejected.

The petitioner no. 1 is the husband of O. P. No. 2, he was sued along with others in the aforesaid complaint case for the offence under Sections 498A, 406 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act. During the pendency of this criminal miscellaneous both the parties have compromised the case and the marriage solemnized between the parties has been dissolved on payment of Rs. 4,35,000/- as permanent alimony.

O.P. No. 2 has filed counter affidavit on 17.02.2017 accepting the compromise arrived at between the parties. In view of the compromise arrived at between the parties, both the parties do not want to proceed further in the case.

In view of the compromise arrived at between the parties, there is no need to continue the proceeding of Complaint Case No. 1560 of 2008 Trial no. 2255 of 2011.



In the result, this criminal miscellaneous application is hereby allowed in view of the compromise and the impugned order dated 20.10.2011 passed by learned Judicial Magistrate Ist Class, Gaya is hereby quashed and further the entire proceeding of Complaint Case No. 1560 of 2008 Trial no. 2255 of 2011 also stands quashed.

(Jitendra Mohan Sharma, J)

avin/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	11.09.2017
Transmission Date	11.09.2017

