

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30253 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- AURANGABAD

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Kumar Anubhav, S/o Shri Arun Kumar Srivastava, resident of 15/C-1 Park Road,
D1/A Road No.1, Ashok Nagar, P.O.+P.S.-Argora, Distt.-Ranchi (Jharkhand).

.... Petitioner

Versus

1. The State of Bihar through Women Protection Officer, Aurangabad.
2. Rina Kumari Sinha, W/o Kumar Anubhav, D/o Vipin Bihari Sinha, resident of
15/C Park Road, D1/A, Road No.1, Ashok Nagar, P.S.-Argora, Distt.-Ranchi
(Jharkhand), at present residing at New Area, Maharaj Ganj Road, Near P.N.
Bank, P.O.+ P.S.+ Distt.-Aurangabad, Bihar

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajni Kant Mishra, Advocate

Mr. Suresh Mishra, Advocate

For the Opposite Party No.2: Mr. Laxman Lal Pandey, Advocate

Mr. Abhishek Kumar, Advocate

For the State : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 04-09-2017

This application has been filed by the petitioner for
quashing the order dated 27.04.2016 passed by the Judicial
Magistrate, First Class, Aurangabad in Mahila Help Line Case No.
01 of 2016 whereby the prayer of the petitioner for dropping the
proceeding under Domestic Violence Act against the petitioner on



the ground of maintainability has been rejected.

2. Learned counsel for the petitioner has submitted that the parties have amicably settled the dispute outside the court and a compromise petition has already been filed. He has stated that the complainant-opposite party no.2 herself has filed an affidavit in the present case stating therein that she does not want to pursue any criminal or civil case including the present case filed by her against the petitioner. He has submitted that there are some other cases also between the parties and the opposite party no.2 has agreed to compromise all the cases against the petitioner. He has contended that the opposite party no.2 is now happily living with the petitioner.

3. Learned counsel for the opposite party no.2 has supported the contentions of the petitioner. He has contended that due to matrimonial discord and incompatibility, the complainant-opposite party no.2 had filed the present case against the petitioner. However, due to mediation held before the Hon'ble Supreme Court, the parties have resolved all the disputes and now the opposite party no.2 is happily leading her matrimonial life with the petitioner of the present case. He has contended that the opposite party no.2 has no objection if the impugned order and the entire proceedings of the Mahila Help Line Case No. 01 of 2016 pending before the learned Judicial Magistrate, First Class, Aurangabad is



quashed.

4. I have heard learned counsel for the parties and perused the record.

5. As the case arises out of a matrimonial dispute and the parties have sorted out their differences and have decided to live together as also for the detailed reasons recorded in Cr. Misc. No.37219 of 2016, the application is allowed. The entire criminal proceeding of Mahila Help Line Case No.01 of 2016 is hereby quashed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.09.2017
Transmission Date	07.09.2017

