

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47013 of 2017

Arising Out of PS.Case No. -80 Year- 2016 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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Md. Rizwan Nadaf @ Md. Rizwan

.... Petitioner

Versus

State of Bihar & Anr

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 19-12-2017 Heard learned counsel for the petitioner, learned

counsel for the State and learned counsel appearing on behalf of

the O.P. No.2.

The petitioner is apprehending his arrest for the
offence instituted under Sections 498A, 341, 323, 379 of the
Indian Penal Code and 3/4 of D.P. Act

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

Vide order dated 22.09.2017, the matter was referred
to the Mediation and Conciliation Centre, Patna High Court,
Patna. It has been reported that the matter has already been settled
between the parties. The report of the mediator is as follows:-

Patna High Court Mediation Centre

Memorandum of Agreement



Mediation Proceeding No.884 of 2017

[Arising out of Cr. Misc. No.470 of 2017]

**An agreement made on 13.12.2017 at the Patna High Court
Mediation Centre, between**

Md. Rizwan Nadaf @ Md. Rizwan, Son of Wasir Nadaf, R/v
Simali, P.S.-Khirhar, District-Madhubani.....Petitioner/s.

And

Rozida Khatoon, D/o Jumrati Nadaf, R/v Basbariya,
P.S.Saharghat, District-MadhubaniOpposite Party No.2.

The present mediation proceeding initiated in view of the order passed in the aforesaid case by the Hon'ble High Court, Patna. The First Party and the Second party have participated in this mediation proceeding. The petitioner and the opposite party No.2 are ready to settle their mutual dispute amicably under the one time settlement on the following terms and conditions:-

1. That the First party shall make payment of Rs. 1,00,000/- (Rupees One Lakh only) to the Second party in the three instalments in cash, First party paying to Second party of cash of Rs. 20,000/- (Rupees twenty thousand) today. He will pay rest amount in equal instalments within three month (i.e. Rs. 80,000/-).
2. That it is made clear that both parties will be withdrawn their Civil as well as Criminal cases pending between them before the payment.



3. That it is also made clear that in coming future the Second party will not make any claim like maintenance and other against the First party and his family members.
4. That the son of the First party and the Second party from today will be free and independent for solemnization of another marriage after the settlement. It also clears that in near future both the parties will not file any Criminal case against each other.
5. That the First party and the Second party from today will not interfere in the personal life of each other.
6. That the Second party will provide acknowledge receipt of receiving the aforesaid payment of the instalments to the First party at the time of receiving the same.
7. That the aforesaid contents of the agreement have been read over and explained into Hindi, which have fully been understood and accepted by the parties.

Hence, in the above terms and conditions a settlement has been arrived between the parties and both have signed in presence of their respective learned counsel, who have also put their signature on this agreement.

(Md. Rizwan Nadaf)
Signature father of the petitioner
date- 13.12.2017

(Rozida Khatoon)
Signature of the Opposite party No.2
date- 13.12.2017



Signature of the petitioner Advocate	Signature of the Opposite party No.2 Advocate
A.O.R. No.-	A.O.R. No.-
Date-13.12.2017	Date-13.12.2017.

Considering the fact that the matter has been settled between the parties, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No.80 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Benipatti, Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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