

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37540 of 2014

Arising Out of PS.Case No. -1027 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Dinesh Kumar Singh Son of Sri Satya Narayan Singh Resident of Village-
Karpurwa, P.O.- Sasaram, P.S.- Sasaram (Darigaon), District- Rohtas.

.... Petitioner

Versus

1. The State of Bihar.
2. Anju Devi D/o Sri Rajeshwar Singh Resident of Mohalla - Khilanganj, P.O.-
Sasaram, P.S.- Sasaram (T), District- Rohtas.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Rajani Kant Singh, Advocate
For the State : Mr. Ganesh Pd. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 22-08-2017

Heard learned counsel for the petitioner and learned Additional
Public Prosecutor for the State. No one appears on behalf of opposite party no.2.

2. Learned counsel for the petitioner submits that the petitioner had
filed a case under Section 12 (I) (a) of the Hindu Marriage Act seeking the
marriage null and void before the Principal Judge, Family Court, Sasaram on the
basis of compromise. The petition was disposed of declaring the marriage of the
petitioner with opposite party no.2 null and void and also a final settlement was
made and on that account Rs.1,00,000/- was paid by the petitioner to his wife.
They also agreed to file compromise in all other pending cases. In the present case
also he has filed a compromise petition before the trial court and a copy of the
same too is filed with the supplementary affidavit.

3. Having considered the submissions of the learned counsel for the
petitioner and on perusal of the judgment passed in Divorce Case No.147 of 2013
as well as the compromise petition filed before the trial court in this case as



already there has been final settlement between both sides and in such situation continuation of the present criminal proceeding would be abuse of the process of the Court so criminal proceeding in Complaint Case No.1027 of 2013 inclusive of the order taking cognizance dated 19.06.2014, pending in the court of S.D.J.M., Sasaram, District Rohtas is quashed.

4. The petition stands allowed.

(Arun Kumar, J.)

S.Kumar/-

AFR/NAFR	NAFR
CAV DATE	NA
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