

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46957 of 2016

Arising Out of PS.Case No. -147 Year- 2009 Thana -CIVIL LINE District- GAYA

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1. Sunny Gupta, S/o Shri Lal Chand Gupta, Resident of 26 P.K. Tagore Street, Mathuresh Sadan, Kolkata-6
 2. Lal Chand Gupta, S/o Late Chaitya Ramji Gupta, Resident of 26 P.K. Tagore Street, Mathuresh Sadan, Kolkata-6
 3. Jayanti Gupta, W/o Shri Lal Chand Gupta, Resident of 26 P.K. Tagore Street, Mathuresh Sadan, Kolkata-6
 4. Niru Tulsyan @ Neerja Tulsyan, W/o Vikash Tulsyan, Resident of P-180, C.I.T. Road Scheme- 6M, Kankurgachi, P.S.- Phool Bagan, Kolkata- 54
 5. Vikash Tulsyan, S/o Nand Lal Tulsyan, Resident of P-180, C.I.T. Road Scheme- 6M, Kankurgachi, P.S.- Phool Bagan, Kolkata- 54
 6. Bindu Gupta @ Vandana Gupta, W/o Mukesh Gaurav Gupta @ Mukesh Gupta, Resident of Monad Apartment, T/3, Shriman Sarani, Babupura Silliguri South, 3rd Floor
 7. Mukesh Gaurav Gupta @ Mukesh Gupta, S/o Dilip Kumar Gupta, Resident of Monad Apartment, T/3, Shriman Sarani, Babupura Silliguri 734004
 8. Krishna Gupta @ Chunnu Gupta, S/o Late Mohan Sah, Resident of 11B Nirmal Chand Street, P.S.- Babu Bazar, Kolkata- 12
 9. Prem Lala Gupta, W/o Krishna Gupta @ Chunnu Gupta, Resident of 11B Nirmal Chand Street, P.S.- Babu Bazar, Kolkata- 12 Petitioners

Versus

1. The State of Bihar
2. Jhanvi Gupta @ Meha, S/o Sri Uma Kant Gupta, Resident of Mohalla Andar Ramna, Gaya, Dist- Bihar Opposite Parties

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Appearance :

For the Petitioners : Mr. Shri Prakash Tiwari, Adv.
For the State : Mr. Md. Ansarul Haque, APP 159
For the informant-op 2 : Mr. S.K. Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-02-2017 Heard the learned counsel for the petitioners as soon as opposite party no. 2.

The petitioners are accused in Civil Line Gaya P.S. Case No. 147 of 2009 brought by opposite party no. 2 for offences under Sections 323, 324, 406 and 498A/34 of the Indian Penal Code as well as 3 and 3 of the Dowry Prohibition Act.

In the present application cognizance order, dated 10.08.2016 is under challenge.



Submission of the petitioners is that since the parties have settled their dispute amicably outside the Court, opposite party no. 2 does not want to proceed with the criminal case, hence, the same be quashed for the ends of justice because in view of the compromise continuance of the proceeding would amount to an abuse of the process of the Court.

In view of the consent of opposite party no. 2 that she does not want to proceed with the case after compromise with the petitioners, the proceeding before the Court below stands **quashed** and this application is **allowed**.

Opposite party no. 2 has received the remaining part of alimony amount of rupees three lakhs by demand draft no. 002685, dated 04.02.2017, in the open Court.

(Birendra Kumar, J)

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