

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32538 of 2017

Arising Out of PS.Case No. -1549 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

1. Pratik Kumar Upadhyay Son of Dr. Rajendra Upadhyay resident of S -
26/151, M - 1 , Shyampur Colony Block (B) Mirapur Bashi, P.S. + District -
Varanasi (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ankita Kumari wife of Pratik Kumar Upadhyay, D/o - Shree Ajay Kumar
Chaturbedi Mohalla - Begampur Bhithri, Garhipar, P.O. - Begampur, P.S.
Chowk Thana, District - Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rishikesh Ojha

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-10-2017

The petitioner is husband of the informant.

Learned counsels for both the parties are present.

It has jointly been submitted that the matter has been settled in mediation centre. The report of mediator is enclosed with this petition, which is annexed at flag "A" wherein it has been mentioned that the petitioner has agreed to make payment of Rs. 5,00,000/- to opposite party No. 2 by 06-10-2017 by way of demand draft of any Nationalized Bank. Thereafter, both parties will file joint petition for grant of decree of divorce by mutual consent u/S 13(b) of Hindu Marriage Act and the same will be filed on 10th of October, 2017 before the learned Principal Judge,



Family Court, Patna. The opposite party No. 2 shall withdraw the maintenance case pending before the learned Principal Judge, Family Court, Patna and the opposite party No. 2 shall not make any further claim of maintenance against the petitioner. The opposite party No. 2 will withdraw Criminal Case which is pending in the court of learned Sub Divisional Judicial Magistrate, Patna City against the petitioner and his family members after filing of the Divorce Case under Section-13(B) of the Hindu Marriage Act.

In view of the aforesaid settlement, arrived at between the parties before the Mediation Centre, Patna High Court, Patna, the petitioner is directed to surrender in the court below within six weeks from today. In the event, the petitioner does so and fulfills the conditions, as agreed upon between the parties before the Mediation Centre, Patna High Court, Patna, he will be enlarged on anticipatory bail in connection with Complaint Case No. 1549 of 2014 to the satisfaction of learned Additional Chief Judicial Magistrate-II, Patna City on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each. In the event, the petitioner fails to abide by the aforesaid agreement entered into between the parties, the court below will be at liberty to pass appropriate orders in accordance with law



without taking into consideration the observation of this court.

This Cr. Misc. Application is accordingly, disposed
off.

(Sanjay Priya, J)

A.K.V./-

U		T	
---	--	---	--

