

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39274 of 2014

Arising Out of PS. Case No. -213 Year- 2009 Thana -BARBIGHA District- SEKHPURA

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1. Jairam Prasad, Son of Sadhu Sharan Prasad
2. Nandu @ Ramashish Prasad, son of Jairam Prasad
3. Ramanugrah Prasad, son of Jairam Prasad
All residents of Village - Noni, P.S. - Chandradeep, District - Jamui
.... Petitioner/s

Versus

1. The State of Bihar
2. Sanyogita Devi, Wife of Ramanugrah Prasad, Daughter of Suresh Verma, Presently Residing at Kaji Phattu Chack, P.S. Barbigaha, (Keoti), District - Sheikhpura
.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abdul Wadood, Advocate
For the Opposite Party/s : Mrs. Nirmala Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

4 25-08-2017 Heard learned counsel for the petitioners and the State. No one appears on behalf of opposite party no.2.

Counsel for the petitioners submits that the parties have been entered into understanding. The husband and wife are residing under the same roof and they are living happy conjugal life. The controversy between the wife and the husband has been resolved. He submitted that in view of the restoration of normal conjugal life, there is no point in allowing the present proceeding to continue.

Having regard to the submissions advanced on behalf of the petitioners, this application is disposed of with liberty



to file a joint petition before the court below and the court below will fix a date for appearance of the parties and if the husband and wife is agreed to settle their controversy, the court below will close the case irrespective of the fact that the case is compoundable or not considering the judgment of the Apex Court in case of **Gian Singh Vs. State of Punjab**, reported in **(2012) 10 SCC 303** and close the entire proceeding after recording the evidence of the husband and wife.

With the aforesaid observation, this application stands disposed of.

(Anil Kumar Upadhyay, J)

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