

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46283 of 2013

Arising Out of PS.Case No. -null Year- null Thana -null District- MADHUBANI

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1. Dr. Nand Lal Mahto, Son of Late Devdutt Mahto.

2. Smt. Sonmati Devi, Wife of Dr. Nand Lal Mahto

Both resident of village- Biryā Barely, P.S.- Mirganj, Hathuwa, District-
Gopalganj, At present posted at Ladania, Primary Health Centre, Ladania,
District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

2. Meena Devi @ Meena Sardar, Wife of Dr. Nand Lal Mahto, Vill+ P.O+ P.S.-
Ladania Bazar, P.S.- Ladania, District- Madhubani. Or Mrs. Meenadevi,
Nandlal Mahto, Adult.Occ. Household, beelding at Neharu Nagar Behind Police
Chowki House No. 3, Bhayander (W), Dist-Thane.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Advocate.

For the Opposite Party/s : Mr. Vinod Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 07-07-2017

Heard learned counsel for the parties.

2. The petitioners have challenged order taking cognizance
dated 09.09.2013 passed by the S.D.J.M., Madhubani in Ladania
P.S.Case No. 35 of 2013 whereby he has taken cognizance under
Sections 323, 498A and 506 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that this
case was earlier referred by the Court to the Mediation Centre and all
disputes between the petitioner no. 1 (husband) and O.P. No. 2 (wife)



have been resolved. The mediation report is already on record and as per compromise, settlement has already been done and both parties have signed and they have agreed for not to precede the cases filed by against each other.

4. Learned counsel for the O.P. No. 2 also admits the fact of compromise.

5. Perused the mediator's report dated 05.07.2017 as well as memorandum of agreement between both sides dated 04.07.2017. Since the dispute, arising out of conjugal life of the petitioners and O.P. No. 2, has already been resolved and both parties are in agreement not to pursue case filed against each other, so continuation of criminal proceeding including order taking cognizance dated 09.09.2013 passed in Ladania P.S.Case No. 35 of 2013 is set aside. Accordingly, this petition stands allowed.

(Arun Kumar, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	13.07.2017
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