

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7911 of 2015

Arising Out of PS.Case No. -672 Year- 2014 Thana -FORBESGANJ District- ARRARIA

- =====
1. Jagannath Gupta, son of late Ramlal Gupta
 2. Gita Devi, wife of Jagannath Gupta, both resident of Saur Bazar, Police Station- Saur Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Annapurna Gupta @ Gudiya, wife of Dr. Binod Gupta, daughter of Tapeswar Prasad Gupta, resident of Saur Bazar, Police Station- Saur Bazar, District- Saharsa, at present resident of Ward No. 16, Chhuapatti, Forbesganj, Police Station- Forbesganj, District- Araria.

.... Opposite Party/s

With

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Criminal Miscellaneous No. 20896 of 2015

Arising Out of PS.Case No. -672 Year- 2014 Thana -FORBESGANJ District- ARRARIA

- =====
1. Kailash Gupta, son of Jagannath Gupta,
 2. Mrs. Anjani Gupta, wife of Kailash Gupta, both resident of Saur Bazar, Police Station - Saur Bazar, District – Saharsa,
 3. Neelam Devi, wife of Anil Gupta, resident of Madheli Bazar, Police Station - Shankarpur, District – Madhepura,
 4. Dr. Alok Agarwal, son of Sri Krishna Das Agarwal, R/o B-309, Sarika Vihar, P.S.- Sarika Vihar, New Delhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Annapurna Gupta @ Gudiya, wife of Dr. Binod Gupta, daughter of Tapeswar Prasad Gupta, resident of Saur Bazar, Police Station- Saur Bazar, District- Saharsa, at present resident of Ward No. 16, Chhuapatti, Forbesganj, Police Station- Forbesganj, District- Araria.

.... Opposite Party/s

With

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Criminal Miscellaneous No. 33823 of 2015

Arising Out of PS.Case No. -672 Year- 2014 Thana -FORBESGANJ District- ARRARIA

- =====
1. Dr. Vinod Gupta @ Dr. Binod Gupta, son of Jagannath Gupta, resident of Saur Bazar, Police Station, Saur Bazar, District- Saharsa

.... Petitioner/s

Versus

1. State of Bihar
2. Annapurna Gupta @ Gudiya, wife of Dr. Binod Gupta, daughter of Tapeswar Prasad Gupta, resident of Saur Bazar, Police Station- Saur Bazar, District-



Saharsa, at present resident of Ward No. 16, Chhuapatti, Forbesganj, Police Station- Forbesganj, District- Araria

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.7911 of 2015)

For the Petitioner/s : Mr. Alamdar Hussain, Advocate
Mr. Shed Asgher Najmi, Advocate

For the Opposite Party/s : Mr. Md. Ansarul Haque, APP

(In Cr.Misc. No.20896 of 2015)

For the Petitioner/s : Mr. Alamdar Hussain, Advocate
Mr. Shed Asgher Najmi, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, Advocate
Mr. Sanjay Kumar, Advocate

(In Cr.Misc. No.33823 of 2015)

For the Petitioner/s : Mr. Alamdar Hussain, Advocate
Mr. Shed Asgher Najmi, Advocate

For the Opposite Party/s : Ms. Anita Kuamri, APP
Mr. Sanjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 02-04-2018

These applications have been filed for quashing of First Information Report of Forbesganj P.S. Case No.672 of 2014 instituted for the offence under Section(s) 498-A, 323, 379, 313, 504/34 Indian Penal Code and Section 34 of the Dowry Prohibition Act.

A report was called for from the Court below with regard to present stage of the case, which has been received, from which it appears that Charge has already been framed in the case on 30.11.2016 and the case is pending for evidence. Summons have been issued to the witnesses.

During hearing of the petitions, it has been submitted by the counsel for the Opposite Party No.2 that talk of amicable



settlement between the parties is going on. A petition for mutual divorce under Section 13-B of the Hindu Marriage Act has already been filed before the Principal Judge, Family Court, Araria, in which next date is fixed on 26.04.2018.

Since stage of the case has changed and Charge has already been framed, this Court does not think it proper to keep these petitions pending any further.

Therefore, these applications are disposed off with direction to the petitioner of Cr. Misc.No.33823 of 2015 and Opposite Party No.2 to appear in the Court below on the date fixed before the Principal Judge, Family Court, Araria, in the petition filed under Section 13-B of the Hindu Marriage Act, and the Court below will make efforts to dispose of the same within one month from the date of appearance of the parties.

It is further observed that in the event both the parties agree for divorce with mutual consent and decree is passed within one month, as ordered above, then both the parties will file appropriate petition in the Trial Court in Forbesganj P.S. Case No.672 of 2014 for conclusion of trial on the basis of compromise expeditiously.

It is made clear that in the event compromise is arrived at between the parties, the Court below will proceed with the trial in



accordance with law and conclude the same finally within a period of six months from the date of filing such petition by the parties.

(Sanjay Priya, J)

J.Alam/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	11-04-2018
Transmission Date	11-04-2018

