

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45463 of 2014

Arising Out of PS.Case No. -3399 Year- 2013 Thana -PATNA COMPLAINT CASE
District- PATNA

=====

1. Pravin Bhushan, Son of Late Dr. Binod Bhushan Seth
2. Nanda Seth, Wife of Late Dr. Binod Bhushan Seth
3. Smt. Gauri Rani, Wife of Sri Manoj Sah & D/o Late Dr. Binod Bhushan Seth, all resident of Mohalla- Badi Durga Asthan, Rosera, P.O. & P.S.- Rosera, Distt.- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sujata Kumari, Wife of Pravin Bhushan & D/o Dr. Satyendra Kumar Gupta, R/o Flat No. JF 3/27, Block No.5, Road No.10E, Rajendra Nagar, P.S.- Kadamkuan, Town and Distt.- Patna 800016.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kumar Sunil, Adv.

For the State : Mr. Nawal Kishore Prasad (App)

For the O.P. No. 2 : Mr. Dr. Anand Kumar, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

9 10-04-2018 The petitioners have challenged the order dated 30.06.2014, passed by the learned Judicial Magistrate, Ist Class, Patna in connection with Complaint Case No. 3399(C) of 2013, whereby cognizance has been taken under Section 498(A) of the Indian Penal Code.



The records of this case reveal that an attempt had been made for settling the matrimonial dispute between the opposite party No. 2 and her husband, but no headway could be made in the aforesaid effort.

The petitioners are the husband, mother-in-law and the married sister-in-law of the opposite party No. 2.

Mr. Kumar Sunil, learned Advocate for the petitioners has submitted that despite the failure of the attempts made towards re-conciliation/settlement of disputes, he is still hopeful that if the parties sit across the table and deliberate, then perhaps some headway could be made in that direction.

This Court is of the view that the parties would be at liberty to make efforts for settlement of disputes and if at all, it is effected, this could be a ground for seeking a discharge of the petitioners from the case. Even otherwise, the petitioners would have sufficient opportunity to agitate before the Court below in the appropriate forum, *i.e.* at the time of the framing of the charge.

As such, Mr. Sunil Kumar, learned counsel for the petitioners seeks permission to withdraw this petition in order to approach the Court below at the appropriate stage, either with or without the settlement having been effected between the parties. Should such an application be filed for discharge,



the Court below shall look into the matter and would pass a reasoned order in accordance with law, without being prejudiced by the fact that the present petition has not been entertained by the High Court.

(Ashutosh Kumar, J)

Praveen-II/-

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

