

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14073 of 2014

Arising Out of PS.Case No. -424 Year- 1995 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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Sudhir Kumar Ram @ Sudhir Ram, Son of late Basudeo Ram, resident of village-
Parwa, P.S- Murliganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rubi Ram, daughter of Rajendra Ram, alleged to be wife of Sudhir Kumar Ram, resident of village- Arajpur, P.S- Chausa, District- Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate.

For the Opposite Party/s : Mr. Binod Kumar No. 3, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 25-07-2018

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 01.03.2014 passed by the learned District & Sessions Judge, Madhepura, in Criminal Appeal No. 03 of 2014 by which the petitioner was directed to make payment of compensation of Rs.10,000/- to the informant (opposite party No. 2) as interim relief.

2. Heard learned counsel for the petitioner and learned counsel for the State.

3. The opposite party No. 2 has filed case under Sections 12 and 23(2) of Domestic Violence Act, 2005. The aforesaid case was disposed off by judgment dated 29.01.2014 (Annexure-3). Thereafter, an Appeal has been filed by the petitioner against the



aforesaid judgment vide Criminal Appeal No. 03 of 2014.

4. The learned Sessions Judge at the time of admission of Appeal has directed the Appellant to make payment of Rs.10,000/- to opposite party No. 2 as interim relief.

5. Notice was issued to the opposite party No. 2 but the same was not served as appear from the Office Note.

6. This Court after looking into the impugned order and the order passed by the learned Judicial Magistrate in Domestic Violence case No. 3 of 2013 finds that in the Judgment of Domestic Violence Case, direction was given to the petitioner to make payment of lump sum compensation amounting to Rs.10,000/- to the complainant (opposite party No. 2). The learned Sessions Judge at the time of admission of the Appeal by the impugned order has given direction to the petitioner to make payment of the aforesaid amount in terms of provision under Section 22 of Protection of Women from Domestic Violence Act, 2005.

7. Therefore, this Court does not find any illegality in the impugned order.

8. This Criminal Miscellaneous application is accordingly dismissed.

9. The court below will proceed in the Appeal in accordance with law and make efforts to dispose off the same expeditiously. Petitioner is directed to deposit the amount as directed



by the court below within a period of one month from the date of receipt of this order.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	09/08/2018
Transmission Date	09/08/2018

