

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15575 of 2014**

Arising Out of PS.Case No. -681 Year- 2013 Thana -BEGUSARAI COMPLAINT CSAE District-  
BEGUSARAI

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1. Ajay Singh S/O Arjun Singh Resident Of Dhanveriyah, P.O. Khaira, P.S.  
+ District Jamui.

.... .... Petitioner/s

Versus

1. The State Of Bihar.  
2. Priyanka Kumari W/O Ajay Singh, D/O Late Bisundeo Singh At Present  
R/O Lohiya Nagar, Ward No. 28, P.O. Suhirdya Nagar, P.S. Muffasil,  
District Begusarai.

.... .... Opposite Party/s

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with

**Criminal Miscellaneous No.15248 of 2014**

Arising Out of PS.Case No. -681 Year- 2013 Thana -BEGUSARAI COMPLAINT CSAE District-  
BEGUSARAI

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Arvind Singh @ Arvind Kumar Singh & Ors.

.... .... Petitioner/s

Versus

State of Bihar & Anr

.... .... Opposite Party/s

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**Appearance :**

(In Cr.Misc. No.15575 of 2014)

For the Petitioner/s : Mr. Vinod Kumar Seth, Adv.

For the Opposite Party/s : Mr. Sangeeta Sharma, AP.P.

(In Cr.Misc. No.15248 of 2014)

For the Petitioner/s : Mr. Vinod Kumar Seth, Adv.

For the Opposite Party/s : Mr. Mustaq Alam, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

11 16-05-2018

Heard learned counsel for the petitioners.

Both the applications have been filed for quashing of  
the order dated 04.01.2014 passed by learned S.D.J.M., Begusarai  
in Complaint Case No. 681C of 2013, whereby the process has  
been directed to be issued after cognizance being taken for the



offences punishable under Sections 498A and 323 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Learned counsel for the parties have submitted that the parties have settled their dispute by way of mediation in Mediation Proceeding No. 1272 of 2014 and a Memorandum of Agreement to that effect has also been prepared between the parties, which is evident of mediation report at Flag-Z and as such the learned counsel for the petitioners pray for quashing of the entire proceeding as well as the order taking cognizance.

From perusal of the materials available on record and the submissions made above, it is evident that the matter has been compromised between the parties and they are living together happily. The Hon'ble Supreme Court in the case of *Gian Singh Versus State of U.P.* reported in *(2012) 10 Supreme Court Cases 303* has laid down the law that criminal proceedings may be quashed even in non-compoundable cases by the High Court in exercised of its extraordinary jurisdiction to restore peace between the parties and in case the justice so demands. According to the Hon'ble Supreme Court, if the offence involve private dispute between the parties of commercial nature or matrimonial dispute and it is not related to a heinous offence, the proceedings may be quashed.



In view of the above, the entire proceeding including the order taking cognizance dated 04.01.2014 passed by learned S.D.J.M., Begusarai in Complaint Case No. 681C of 2013, is hereby quashed.

Accordingly, these applications stand allowed.

**(Arvind Srivastava, J)**

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