

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31164 of 2018

Arising Out of PS. Case No.-3682 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Md. Arif Ahmad son of Md. Ashique Ahmad R/o Village - Singhara Kopa,
P.S. Dulhin Bazar, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Reshma Khatoon wife of Md. Arif Ahmad & Daughter of Md. Abul Hayat
R/o Village Gonpura, P.O. Alampur, P.S. Phulwarisharif, District Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Dipak
For the Opposite Party/s : Mr. Sri Pranav Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and 4 of
Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfilment of demand of
dowry.

The matter was referred to the Mediation Centre by
order dated 11.06.2018. Vide Report at Flag-A, it has been
reported that the matter has been settled between the parties in



the following terms:

**Patna High Court Mediation Centre
Memorandum of Agreement
Mediation Proceeding No. 72 of 2018
(Arising out of Cr. Misc. No. 31164 of 2018)**

An agreement made on 07.08.2018 at the High Court Patna Mediation Centre, between.

Mr. Arif Ahmad, son of Md. Ashique Ahmad, resident of village- Singhara Kopa, P.s.- Dulhin Bazar, District- Patna.
.... (First party)

And

Reshma Khatoon, wife of Md. Arif Ahmad & Daughter of Md. Abul Hayat, resident of village Gonpura, P.O.- Alampur, P.S.- Phulwarisharif, District- Patna
.... (Second party).

Parties are present with their respective counsels. As per the agreement arrived at between the parties for one time settlement, petitioner is paying/handing over the entire remaining out of Rs. 45,000/- (Rupees Forty Five Thousand Only) out of Rs. 55,000/- (Rupees Fifty Five Thousand) to the opposite party No. 2 in cash. It is stated that out of Rs. 55,000/- (Rupees Fifty Five Thousand), petitioner has already paid/handed over Rs. 55,000/- to the opposite party No. 2 on 24.07.2018 itself. Accordingly the disputes between the parties stands resolved on the following terms and condition:-

1. As a result of this one time settlement, parties have agreed to part away from each other to lead their independent life.
2. Parties have further agreed that they will take steps for filing appropriate petition before the competent court/forum or under the terms of "Sharia" for mutual divorce.
3. Parties have agreed that after this one time settlement they will withdraw all the cases/complaint, if any, filed against each other before all the forums.
4. Parties have further agreed that after this one time settlement the opposite party No. 2 shall not make any further claim to the petitioner.
5. Parties have further agreed that whatever the steps/formalities are required under the "Sharia" that they will complete within two months from the date of signing this agreement.



6. That the above contents of this agreement have been read over and explained to us in Hindi in presence of their respective lawyer which we have fully understood and accepted there upon.

7. That in the above terms and conditions a settlement has been arrived at between the parties and both have signed/thumb impression in presence of their respective learned counsels, who have also put their signature on this agreement.

Sd/
(Md. Arif Ahmad)

Signature of the petitioner
Date 07.08.2018

Sd/
(Reshma Khatoon)

Signature of the opposite party no. 2
Date-07.08.2018

Sd/
Signature of the petitioner Advocate
A.O.R. No. 2991

Date 07.08.2018

Signature of the opposite party no. 2 Advocate
A.O.R. No.

Date-07.08.2018

sd/ 07.08.2018

(Alok Kumar)

Mediator

Considering the fact that the matter has been

settled between the parties, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna in connection with Complaint Case No. 3682(c) of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Pankaj/-

(Sudhir Singh, J)

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

