

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32056 of 2018

Arising Out of PS.Case No. -94 Year- 2001 Thana -NALANDA COMPLAINT CASE District -
NALANDA (BIHARSHARIFF)

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Kundan Singh @ Kundan Kumar S/o Late Ambika Kant Singh @ Ambika Singh , R/o Vill.- Dakhingaon, P.S.- Wazirganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Pinku Devi W/o Kundan Singh, D/o Sri Ram Nandan Singh, R/o Vill.- Mahilla, P.S.- Giriyak, District- Nalanda.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

For the Opposite Party No.2 : Mr. Amresh Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 25-09-2018 The petitioner in the present case seeks quashing of the order dated 14.05.2008 passed by the learned Sub-Divisional Judicial Magistrate, Biharsharif, Nalanda in Complaint Case No. 94 (C) / 2001. By the impugned order, the learned Magistrate has taken cognizance of the offences alleged under Section 498 A/34 of the Indian Penal Code against the petitioner and other family members.

At this stage the O.P. No. 2 has also appeared through her learned Advocate who is present in Court.

Learned counsel for both the parties jointly submit that during the pendency of this application now good sense prevails



between the parties and they have decided to settle their disputes amicably. In fact, now the Court is being informed that the parties are going to live together and they have also agreed in principle that all the cases lodged against each other shall be sought to be disposed off in the Court concerned in the light of the settlement. For this purpose, they are willing to file a settlement deed or compromise petition in the learned Court below within 30 days from today. It is thus submitted that this application may be disposed of with appropriate direction to the learned Court below.

In the given facts and circumstances of the case, this Court directs that in case a joint compromise petition is filed in the learned Court below, considering the fact that it is a matter arising out of a matrimonial discord between the parties, the learned Court below shall entertain the said petition with some urgency and shall proceed to dispose off the complaint case in the light of the settlement arrived at between the parties after recording their respective statements in the learned Court below. The learned Court below shall pass an appropriate order after recording of the statement of the parties within a period of eight weeks from the date of filing of the joint compromise petition.

It is recorded that this Court has not gone into the merit of the contentions of the parties in view of the aforesaid



submissions.

The application stands disposed off with the directions
and observations made hereinabove.

(Rajeev Ranjan Prasad, J)

R.R.Ojha.

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