

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7712 of 2016

Arising Out of PS. Case No.-20 Year-2015 Thana- MADHWAPUR District- Madhubani

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1. Ashutosh Kumar Dwivedi Son of Shyama prasad Dwivedi null
 2. Sanjeev Kumar Dwivedi son of Shyam Prasad Dwivedi
 3. Shail Devi@Sail Dwivedi wife of Shyam Prasad Dwivedi
 4. Shyam Prasad Dwivedi Son of late Thakur Prasad Dwivedi All Resident of Village- Sujatpur, P.s Madhvapur, district Madhubani.
 5. Lal Babu thakur@lal babu singh Son of late Shivdeo Singh Resident of Village- Bathnaha, P.s Bathnaha District Sitamarhi.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Nirmala Kumari Wife of Nagendra Jha Resident of Village-Harari, Dularpur, P.s Sursand, District Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Udbhav, Advocate
Mr. Malay Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

5 14-11-2019 Heard the learned counsel for the petitioners and
the State.

The petitioners seek quashing of the order dated
09.10.2015 passed by the learned Judicial Magistrate-1st



Class, Benipatti in connection with Madhawapur P. S. Case No. 20 of 2015, whereby cognizance has been taken for the offences under Sections 406, 420, 120-B and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

It appears from the records of this case that it was sent to the Mediation Centre, Patna High Court, Patna for reconciliation between the parties but such an effort came a cropper. Again, by order dated 22.11.2018, a request was made by the Court to the counsel to help the parties sort out their differences. This time also, the efforts failed.

In the event of there being no settlement between the parties as on date, it would be open for the petitioners to approach the court below, if already not approached and the petition not disposed off, for discharge. Should such an application be filed, the court below shall look into the entire set of facts and shall again make efforts for reconciliation and in case it fails, shall pass a reasoned order in accordance with law, without being prejudiced by the fact that the present petition has not been entertained by this Court.



The application is dismissed with the liberty
aforesaid.

(Ashutosh Kumar, J)

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