

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16953 of 2015

Arising Out of PS. Case No.-381 Year-2014 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Manjeet Kumar, son of Batohi Mahto, resident of village- Narhaniya, P.S.-
Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarswati Kumari wife of Manoj Kumar, resident of village- Narhania, P.S.-
Harlakhi, District- Madhubani at present resident of village- Potgah
Kushwaha Tola, P.S.- Harlakhi, District- Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ratanakar Jha, Advocate
For the O.P. No. 2	:	Mr. Vijay Kumar, Advocate
For the State	:	Mr. B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-05-2019 Heard the counsel for the parties.

The petitioner seeks quashing of the order dated 22.11.2014 passed by the learned Sub-Divisional Judicial Magistrate, Madhubani in Complaint Case No. 381 of 2014 whereby cognizance has been taken against the petitioner under Section 498(A) of the Indian Penal Code.

The learned advocate for the O.P. No. 2 submits that she is ready to settle the dispute with her husband/other accused persons.



The learned advocate for the petitioner however has submitted that it has been since long that he has had any communication with his client and therefore he cannot make any commitment on his behalf. But it has been submitted that the petitioner in all its probability may be desirous of settling the dispute with his wife either by way of effecting a settlement or by peacefully parting of way.

In any view of the matter, it would be open for the petitioner to approach either individually or jointly with his wife, the Court below intimating him about any settlement having been arrived at. If not, then it shall also remain open for the parties to request the Court below for referring the matter for Mediation, even though the mediation on one occasion has failed. Every effort ought to be made for settling the matrimonial dispute. If it is not possible to settle the dispute, the trial be concluded as early as possible.

Till the time any such application is filed before



the Court below, no coercive steps shall be taken against the petitioner and the outer limit for such protection shall be three months from the date of passing of this order. The interim protection will be subject to the order of the Court below.

With the aforesaid observation/direction, the petition stands disposed off.

(Ashutosh Kumar, J)

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