

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48924 of 2014

Arising Out of PS. Case No.-552 Year-2014 Thana- SIWAN COMPLAINT CASE District-
Siwan

=====

Dr. Rahmat Ali son of Rustam Ali Resident of Village - Dumaria, Police
Station - Uchakagaon, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Dr. Sehla Rahman D/o Hifzur Rahman R/o Mohalla - Sheikh Mohalla,
(Azad Nagar), P.S. - Town, Dist - Siwan.

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 6865 of 2015

Arising Out of PS. Case No.-110 Year-2014 Thana- UCHKAGAON District- Gopalganj

=====

Dr. Rahmat Ali @ Rahmat Ali Son of Rustam Ali, Resident of Village -
Dufmaria, P.S. - Uchkagaon, District - Gopalganj and presently posted as a
Doctor in Madan Mohan Malviya Hospital, New Delhi.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Dr. Sehla Rahman, D/o Hifzur Rahman, Resident of Shekh Mohalla, (Azad
Nagar), Town Police Station, District - Siwan.

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 57918 of 2017

Arising Out of PS. Case No.-110 Year-2014 Thana- UCHKAGAON District- Gopalganj

=====

Dr. Rahmat Ali S/o Rustam Ali, resident of Village- Dumaria, P.S. -
Uchkagaon, District- Gopalganj, presently posted as Medical Officer, Madan
Mohan Malviya Hospital, P.S.- Malviya Nagar, New Delhi.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Dr. Sehla Rahman, D/o Hafzur Rahman, resident of Shekh Mohalla, (Azad
Nagar), Town Police Station- Siwan, District- Siwan.

... .. Opposite Party/s



Appearance :

(In CRIMINAL MISCELLANEOUS No. 48924 of 2014)

For the Petitioner/s : Mr. Anuj Kumar Sinha, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP
For the O.P. No.2 : Mr. Javed Aslam, Advocate

(In CRIMINAL MISCELLANEOUS No. 6865 of 2015)

For the Petitioner/s : Mr. Anuj Kumar Sinha, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP
For the O.P. No.2 : Mr. Javed Aslam, Advocate

(In CRIMINAL MISCELLANEOUS No. 57918 of 2017)

For the Petitioner/s : Mr. Anuj Kumar Sinha, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP
For the O.P. No.2 : Mr. Javed Aslam, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 28-03-2019

Heard learned counsel for the petitioner; learned A.P.P.

for the State and learned counsel for the opposite party no. 2.

2. The petitioner and opposite party no. 2 are same in all the cases. However, two cases pertain to F.I.R. and a complaint case and the third relates to an order by the lower Court by which the provisional bail granted to the petitioner was cancelled in the police case.

3. The opposite party no. 2 has filed Complaint Case No. 552 of 2014 (T.R. No. 4576 of 2014) in which cognizance has been taken against the petitioner on 17.05.2014 under Sections 498A, 406 and 323 of the Indian Penal Code. The opposite party no. 2 has also filed Uchkagaon P.S. Case No. 110 of 2014 (G.R. No. 1553 of 2014/T. R. No. 3181 of 2017) in which cognizance has been taken on 09.11.2015 under Sections 323, 406 and 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.



4. At the very outset, learned counsel for the parties drew the attention of the Court to the order recorded on 11.03.2019 which discloses that one time final settlement was reached between the parties under which the petitioner had agreed to pay Rs. 12 Lakhs to the opposite party no. 2, out of which Rs. 10 Lakhs had already been paid. With regard to remaining two Lakhs, learned counsel for the petitioner has produced demand draft in the name of Shaila Rahman Siddiqui for Rs. 2 Lakhs dated 20.03.2019 bearing no. 023401 drawn on Axis Bank, Okhala Phase-1, New Delhi. The same has been handed over to learned counsel for the opposite party no. 2 in Court. Learned counsel for the opposite party no. 2, who while accepting the draft submitted that as per the compromise the petitioner having discharged his onus, she had no objection to both the cases being quashed.

5. Learned A.P.P. for the State does not oppose.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties and the fact that the petitioner and opposite party no. 2 are husband and wife and now they have compromised and settled the dispute among themselves, the Court finds that for securing the ends of justice, the criminal cases are required to be closed.



7. Accordingly, the applications are allowed. The entire criminal proceeding, including all orders passed, arising out of Complaint Case No. 552 of 2014 (T.R. No. 4576 of 2014) pending before the Court below at Siwan and Uchkagaon P.S. Case No. 110 of 2014 (G.R. No. 1553 of 2014/Tr. No. 3181 of 2017) pending before the Court below at Gopalganj, stand quashed.

(Ahsanuddin Amanullah, J)

s.hassan/-

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