

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46984 of 2014

Arising Out of PS. Case No.-166 Year-2014 Thana- LAHERIMUHALLA District- Nalanda

1. Sangita Devi (Gotani) W/o Munchun Prasad
 2. Munchun Prasad (Bhaisur) S/o Ram Pravesh Prasad @ Ram Pravesh Kewat
 3. Lal Muni Devi (Sas) W/o Ram Pravesh Prasad @ Ram Pravesh Kewat
 4. Ram Pravesh Prasad @ Ram Pravesh Kewat Sasur S/o Anandi Kewat
- All Resident of Village Malbigaha, P.S. Chandi, District- Nalanda. At present
Resident of Mohalla Bazar Samiti, P.S. Laheri, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Kumari W/o Shambhu Kumar, D/o Janardan Prasad Resident of
Village- Gaushnagar, P.S. Sarmera, District- Nalanda.

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 17-05-2019

Heard learned counsel for the petitioners; learned APP
for the State and learned counsel for the opposite party no. 2.

2. The petitioners have moved the Court under Section
482 of the Code of Criminal Procedure, 1973 (hereinafter referred
to as the ‘Code’) for the following relief:

*“That this an application is being filed for quashing
the First Information Report in connection with Laheri
P.s. case No. 166 of 2014 registered on the basis of
complaint case No. 551C/2014 against the above
named accused persons, instituted for the offences*



punishable under section 498 (A)/34 of the I.P.C. and under section 3/4 of the D.P. Act. ”

3. The matter relates to matrimonial dispute. Yesterday, in the presence of the petitioners no. 3 and 4 as also the opposite party no. 2 and her husband, the Court was informed that for a One Time Settlement, the parties had agreed that upon payment of Rs. 1,30,000/- to the opposite party no. 2, the matter shall be finally compromised.

4. In view thereof, the matter was adjourned for today. Today, the petitioner no. 3 and her son, i.e., the husband of the opposite party no. 2 and opposite party no. 2 herself are present in Court.

5. Learned counsel for the petitioners handed over a Demand Draft of Rs. 1,30,000/- in favour of the opposite party no. 2, drawn on Canara Bank, Nalanda dated 16.05.2019, bearing No. 164434, to learned counsel for the opposite party no. 2 who, in turn, handed it over to the opposite party no. 2 who gave receipt for the same.

6. In view of the aforesaid, the Court asked the opposite party no. 2 as to whether she has any objection to the Court bringing to an end the complaint case filed by her against the petitioners and her husband, Shambhu Kumar, who is not a petitioner in the present application. To such query, the opposite



party no. 2 submitted that having received the Demand Draft for the agreed amount, she would not oppose the application.

7. Having regard to the aforesaid, the Court, for securing the ends of justice, deems it appropriate to interfere in the matter in exercise of its inherent power under Section 482 of the Code.

8. Accordingly, the application is allowed. The entire criminal proceeding relating to Complaint Case No. 551C of 2014/ Laheri P.S. Case No. 166 of 2014 (GR No. 2271 of 2014), pending before the Court below at Biharsharif in the district of Nalanda, stands quashed.

9. The Court may only observe that as per the agreement between the parties, whatever litigations, including petition seeking mutual divorce (Divorce Case No. 58 of 2019) in the Court of the Principal Judge, Family Court, Nalanda, which are pending, shall also be taken to their logical conclusion without any undue delay.

(Ahsanuddin Amanullah, J)

Anjani/-

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