

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5042 of 2015

Arising Out of PS. Case No.-1462 Year-2009 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Mangaru Thakur son of Ganesh Thakur
 2. Lal Jhari Devi wife of Mangaru Thakur
 3. Rajendra Thakur Son of Mangaru Thakur
 4. Jitendra Thakur son of Mangaru Thakur
 5. Balindra Thakur son of Mangaru Thakur. All Residents of village - Ahirawalia, P.S. Manjhagarh, District – Gopalganj.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Shiv Kali Devi Wife of Haresh Kumar Thakur D/o Late Ved Nandan Thakur. R/o village - Bagha, P.S. Jadopur, District – Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.Surendra Pd.Singh App

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 01-07-2019

Heard learned counsel for the parties.

2. The petitioners are accused in connection with Complaint Case No.1462 of 2009, filed by opposite party No.2 against the petitioners for the offences under Sections 498(A) and 406 of the Indian Penal Code as well as Section 3/4 of the Dowry Prohibition Act.

3. By the impugned order dated 16.02.2010, the learned court below has issued summons against the petitioners to face trial.



4. Submission is that the parties have entered into a written compromise filed before the court below and the petitioner has brought on the record the said compromise petition through affidavit and has stated on oath in the supplementary affidavit that conjugal life of the complainant has already been restored with the husband and they are living happily.

5. Considering the aforesaid fact, further prosecution of criminal proceeding would amount to abuse of process of the court and unnecessary harassment to the parties. Hence, to secure the ends of justice, the impugned order and subsequent proceeding stands *quashed* and this application stands *allowed*.

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	NAFR
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