

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20425 of 2020

Arising Out of PS. Case No.-47 Year-2019 Thana- COMPLAINT CASE District- Araria

Md Ijarul S/o of Late Tajuddin

... .. Petitioner/s

Versus

THE STATE OF BIHAR
bibl Tashmeena W/o of Md. Ijarul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh
For the Opposite Party/s : Mr.Ahmad Ali

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 12-01-2021 The office has reported that the notice issued to opposite party no. 2 has been received by the mother of the complainant. However, no affidavit of jointness has been filed to show that the opposite party no. 2 is residing with her mother.

Learned counsel of the petitioner submits that the opposite party no. 2 is residing with the petitioner and the petitioner and opposite party no. 2 have settled their dispute amicably.

Petitioner happens to be husband of opposite party no. 2 and apprehends his arrest in connection with Complaint Case no. 47(C) of 2019 in which cognizance for the offences punishable under section 498A, 323,379,452 of the Indian Penal Code and section 3/4 of Dowry Prohibition Act has been taken.



Since this case relates to matrimonial dispute of the parties and it is submitted on behalf of the petitioner that the parties have settled their dispute amicably, I think it proper to disposed of this petition with direction to the court below to issue notice to petitioner and opposite party no. 2 fixing the date for reconciliation and shall explore the possibilities of settlement of dispute of the parties. However, if in course of reconciliation, the learned court below finds that the parties have already been settled their dispute amicably, the learned court below shall confirm the provisional bail granted by this Court vide order dated 08.10.2020 to the petitioner but if the learned court below finds that the dispute of the parties have not been settled due to fault of the petitioner, the learned court below shall take the petitioner in custody and shall pass appropriate order in accordance with law on his bail prayer, if any prayer for bail is made on behalf of the petitioner. It goes without saying that if the dispute of the parties could not settle due to rigid approach of opposite party no. 2, the provisional bail granted by this Court vide order dated 08.10.2020 to the petitioner shall be confirmed by the concerned court itself.

N.K/-

(Hemant Kumar Srivastava, J)

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