

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24598 of 2017

Arising Out of PS. Case No.-25 Year-2015 Thana- BIRUPUR SAHAYAK District-
Lakhisarai

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Anil Kumar Ram @ Anil Ram and Ors

... .. Petitioner/s

Versus

State Of Bihar and Anr

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Subroteswar De, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP
For the O.P. No. 2	:	Mr. Rajnish Chandra, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

9 22-03-2021 Heard Mr. Subroteswar De, learned Advocate for the petitioner and Mr. Rajnish Chandra for the informant/opposite party no. 2. The State is represented by Mr. Md. Aslam Ansari, learned APP.

This petition was initially filed for quashing of the FIR bearing Birupur P.S. Case No. 25 of 2015 dated 03.07.2015 registered for the offences under Sections 498A, 406 and 307 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

On 01.10.2018, a Bench of this Court noted that the subject FIR had been lodged by the parties who are contesting against each other because of matrimonial discord. Later, the dispute has been settled amicably and a compromise petition was also noted to have been filed in connection with this case in Cr. Misc. No. 1011 of



2016. It was also pointed out to the Bench, at that time, that in view of the settlement between the parties, the opposite party no. 2 had not been pursuing the criminal case.

This Court thereafter, had issued notice to opposite party no. 2 to appear in this case and explain the situation.

The opposite party no. 2 has appeared and has submitted that all disputes between the spouses have been settled and opposite party no. 2 does not wish to prosecute the case any further.

However, in the meantime, during the pendency of this petition, the police submitted charge sheet in the matter and acting upon that charge sheet, cognizance was taken *vide* order dated 11.05.2016.

A prayer, therefore, has been made by filing I.A. No. 1/2021 to permit the petitioner to challenge the order of cognizance as well and seek its quashing and of the consequent criminal proceedings.

After having heard the counsel for the parties and on being satisfied that opposite party no. 2 does not wish to prosecute the petitioner or any other accused person of this case any further because of a settlement having been arrived at, this Court does not find it difficult to put at rest the entire prosecution and quash



the order of cognizance dated 11.05.2016 and further/sequel orders.

The order dated 11.05.2016 passed by the learned Additional Chief Judicial Magistrate, Lakhisarai in connection with Birupur P.S. Case No. 25 of 2015 is hereby quashed and all further proceedings also stand quashed.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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