

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63005 of 2019

Arising Out of PS. Case No.-806 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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ARPIT KUMAR SAXENA Son of Pradeep Kumar Saxena Resident of
Mohalla - Ladpur, Gur- Sahayganj, P.S.- Gur- Sahayganj, District - Kannuj
(U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devi Das Srivastava

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 14-09-2021 Heard learned counsel for the petitioner and the

State through virtual mode.

A joint affidavit has been filed on behalf of the
parties. Following statement has been made at paragraph-3
of the joint affidavit:

3. Both the parties appeared before the
conciliation and mediation centre, Patna High Court, Patna.

It was held and resolved as follows:

*(i) That both parties decided that petitioner and
O.P. No. 2 do not want to live with each other
hence prayed for decree of divorce dissolving
the marriage of petitioner with O.P. No. 2
solemnized under the provision of the Hindu*



Marriage Act, 1955 according to Hindu rites and rituals on receipt of Rs. 19 lakhs as one time settlement.

(ii) That the petitioner is ready to give as alimony a total sum of Rs. 19 lakhs for one time settlement. But due to paucity of fund, the petitioner is unable to pay the total amount at once hence that with the parties have agreed and fixed the mode of payment in three installments as 40%, 30% and 30% through account payee cheque which was consented by the O.P. No. 2.

(iii) That 40% of total amount i.e. on 19 lakhs , the petitioner shall release the amount in favour of the O.P. No. 2 at the time of filing of this Joint compromise petition by an A/C payee cheque vide cheque No. 000002 dated 03-09-2021 of IDFC First Bank for Rs. 7,60,000/- (seven lakhs sixty thousand Rs. Only) and at rest 30% (thirty percent) amount petitioner will pay at the time of filing of Joint compromise petition u/S 13 of Hindu Marriage Act, 1955 before the Principal Judge, Family Court, Patna and rest 30% of said amount will pay by the petitioner to the



O.P. No. 2 at the time of deposition of the case of both parties.

(iv) That neither of the parties shall demand anything from each other in any manner in respect their present, past and future claims whatsoever.

(v) That after dissolution of the marriage, both parties have agreed not to make any claim against the other immovable or movable property of each other. Both the parties have also agreed not to interfere or defame by using any means to any of family member to each other in future peaceful life.

(vi) That both the parties and father of O.P. No. 2 have agreed to cooperate and withdraw their cases in disposal of all the case (Civil & Criminal pending in different court at Patna and Patna City and Kannauj (U.P.)

(vii) That the father of O.P. No. 2 has also agreed to withdraw of the Criminal case pending in the court of ACJM, Patna City vide Agamkuan P.S. Case No. 995 of 2018 dated 09-12-2018 against the petitioner u/S 498(A) of the Indian Penal Code and 66(C)(D)(F) of I.T. Act.



The matter has been settled in terms and conditions as laid down in paragraph-3 of the joint affidavit referred to above.

Considering the aforesaid facts and circumstances, the provisional bail granted to the petitioner by order dated 17-10-2019 is hereby confirmed.

(Sudhir Singh, J)

A.K.V.//-

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