

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16921 of 2016

Arising Out of PS. Case No.-792 Year-2015 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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1. Shyam Nandan Prasad Singh and Anr. Son of Late Shatrughan Prasad Singh,
 2. Indu Singh, Wife of Sri Shyam nandan Prasad Singh, Bothr resident of Mohalla - Sidharthpuram, Lane No. 2, Near Hanuman Mandir, Ram Dayalu Nagar, P.S. - Sadar, District - Muzaffarpur.

... .. Petitioners

Versus

1. State Of Bihar and
2. Smt. Niti Priya, Wife of Sri Chandan Kumar, Daughter of Sri Sitaram Prasad, At present resident of Mohalla - Khan Bhadur road, Near G.P.O., P.O. P.s. District - Jehanabad.

... .. Opposite Parties

with

CRIMINAL MISCELLANEOUS No. 19253 of 2016

Arising Out of PS. Case No.-792 Year-2015 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

Chandan Kumar Son of Shyam Nandan Prasad Singh, resident of Mohalla- Sidharthpuram, Lane No.2, Near Hanuman Mandir, Ram Dayalu Nagar, P.S.- Sadar, District- Muzaffarpur

... .. Petitioner

Versus

1. State Of Bihar and
2. Smt. Niti Priya, Wife of Sri Chandan Kumar, Daughter of Sri Sitaram Prasad at present resident of Mohalla- Khan Bhadur Road, Near G.P.O., P.O.P.S.District- Jehanabad.

... .. Opposite Parties

Appearance :

(In CRIMINAL MISCELLANEOUS No. 16921 of 2016)

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate
For the State : Mr.M.Dayal, Addl Public Prosecutor
For the opposite party no.2 : Mr. Sunil Kumar, Advocate

(In CRIMINAL MISCELLANEOUS No. 19253 of 2016)

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate
For the State : Mr.Nawal Kishore Prasad, APP
For the opposite party no.2 : Mr. Sunil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL JUDGMENT

Date : 22-06-2022



These petitions are disposed of with this common order as they arise out of the same police case and parties have prayed for similar relief(s).

Heard learned counsel for the petitioners, the State and the respective opposite parties in both petitions.

These petitions have been filed for setting aside order dated 19.02.2016, passed by the learned Chief Judicial Magistrate, Jehanabad in Complaint Case No. 792 of 2015, by which cognizance has been taken against the petitioners for the offences punishable under Sections 323 and 498 (A) of Indian Penal Code and Section 3 and 4 of Dowry Prohibition Act.

Learned counsel for the petitioners submits that on joint prayer of the parties, this Court vide order dated 03.02.2017 had referred the matter to Mediation and Conciliation Centre of Bihar State Legal Services Authority and due to well wishes prevailed upon them the issue got reconciled between the parties and both sides decided to part ways on payment of one time settlement amount of Rs.11,50,000/- by the petitioners to the opposite party no.2. In terms of the said agreement, petitioners have already paid the aforesaid amount which fact has also come in order of this Court dated 31.8.2017, passed in Cr.Misc.No. 46815/2016 while



allowing anticipatory bail to petitioner Chandan Kumar, who happens to be husband of opposite party no.2.

Learned counsel for opposite party no.2 as also learned State counsel are present in the Court. They do not controvert the aforesaid facts.

It has been held by the Courts in a catena of judgments that in a case under section 498A of the IPC, if the parties enter into a compromise, the chances of an ultimate conviction are bleak, and hence no useful purpose would be served by allowing the criminal proceedings to continue.

In that view of the matter, order taking cognizance dated 19.02.2016, passed by the learned Chief Judicial Magistrate, Jehanabad in Complaint Case No. 792 of 2015 with respect to Shyam Nandan Prasad and Indu Singh (petitioners of Cr.Misc.No. 16921/2016) and Chandan Kumar (petitioner of Cr.Misc.No. 19253 of 2016), is hereby quashed.

These petitions stand allowed.

(Prabhat Kumar Singh, J)

Shashi

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.6.2022
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