

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1267 of 2022

Kajal Dubey Wife of Abhishek Kumar, d/o Late Raman Kumar Dubey,
resident of House No. 270, Technopoint Gali, Lalbagh, P.S. Tilka Manjhi,
District-Bhagalpur.

... .. Petitioner

Versus

Abhishek Kumar son of Shivshankar Mishra, resident of Bhabhu Ward No.
12, Khadi Bhandar Gali, P.s. Bhabua, District-Kaimur, at present posted as
Senior Manager, Union Bank of India, 5th Floor, 239 Vidhan Bhavan Marg,
Nariman Point, P.S. Nariman Point, Mumbai.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Soni Shrivastava, Advocate
For the Opposite Party : Mr. Surendra Kumar Mishra, Advocate
Mr. Sudama Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 18-10-2022

Heard the parties.

Today, a demand draft of Rs.20 lakh has been
handed over to the petitioner.

Pursuant to the joint compromise petition dated
19.09.2022 both the parties have got divorce by mutual consent
vide order dated 14.10.2022 passed by the Principal Judge,
Family Court, Kaimur at Bhabhua. A copy of the order of the
Family Court has been produced by the husband-opposite party.

Let it be kept on record.

Both the parties have agreed for settlement of the
entire dispute and in that connection, the parties have mentioned



in paragraph-5 of the compromise petition filed in this Court that Complaint Case No. 1892 of 2018, D.V. Case No. 1893 of 2018 and Kotwali P.S. Case No. 498 of 2022 shall also be withdrawn/quashed with consent.

Learned counsel for the petitioner-wife submits that there is a case filed by the husband-opposite party for restitution of conjugal rights vide Matrimonial Case No. 1409 of 2017 which is pending in the Court of Principal Judge, Family Court, Patna.

Considered the submissions of the parties and the joint compromise petition filed by the parties.

In the interest of justice, I, in exercise my inherent power under Section 482 of the Cr.P.C., and quash the cases mentioned hereinbelow.

- (i) Complaint Case No. 1892 filed under Section 498-A of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act, pending in the Court of Sri Prabal Dutta, A.C.J.M.-I, Bhagalpur.
- (ii) D.V. Case No. 1893/2018 pending in the Court of Shri Dinkar Kumar, A.C.J.M. - II, Bhagalpur.
- (iii) Kotwali P.S. Case No. 498/22 dated 18.06.2022 registered under Sections 341, 323, 354, 379, 504,



506/34 of the Indian Penal Code pending in the
Court of Chief Judicial Magistrate, Bhagalpur.

The opposite party-husband will withdraw the Matrimonial Case No. 1409 of 2017. In any eventuality, the parties are not required to appear in Courts in any of the cases as mentioned above as the criminal cases have been quashed by this Court and the learned counsel for the opposite party submits that he has filed an application for withdrawal of Matrimonial Case No. 1409 of 2017.

With the aforesaid observations and directions, this petition stands disposed of.

Let a copy of this order be communicated to the District Judge, Bhagalpur for its compliance.

(Sandeep Kumar, J)

Guddu/ Pawan-

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