

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.101 of 2021

Arising Out of PS. Case No.-85 Year-2014 Thana- DUMRA District- Sitamarhi

1. Vinay Kishore Prasad Singh S/O Late Shiv Shankar Prasad Singh Resident Of Sambay Kothi, Justice Raj Kishore Path, New Area Kadamkuan, P.S.-KADAMKUAN, District-Patna.
2. Renu Singh W/O Sri Vinay Kishore Prasad Singh Resident Of Sambay Kothi, Justice Raj Kishore Path, New Area Kadamkuan, P.S.-KADAMKUAN, District-Patna.
3. Abhishek Kumar S/O Vinay Kishore Prasad Singh Resident Of Sambay Kothi, Justice Raj Kishore Path, New Area Kadamkuan, P.S.-KADAMKUAN, District-Patna.
4. Amarnath Singh S/O Late Mr. Valmiki Prasad Singh Resident Of Village-Hathidah, P.S.-HATHIDAH, District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Satyawati @ Vanya Priyadarshi, D/o Shri Raghvendra Priyadarshi, R/o Village-Lagma, P.S.-Dumra, District-Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms.Vaishnavi Singh, Advocate
For the State	:	Mr.Akhileshwar Dayal, APP
For the O.P.No.2	:	Mr. Ayush Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

17 23-08-2022

I.A. No. 4 of 2022

This application has been filed to place on record that the parties hereto have entered into compromise with the intervention of the well-wishers and relatives from the respective family. The terms of compromise recorded from paragraph '3' to '11' would be relevant for the present case, hence, those are being reproduced hereunder:-

“3. That the Opposite Party No.2 will withdraw her cases against the petitioners i.e. (i) Domestic Violence Act at Saket Court, New Delhi being



C.R.No.DLSE0200035692014 (Satyawati Versus Abhishek Kumar and others), (ii) Amar Colony Police Station Case No.1357 of 2015 at Saket Court, New Delhi and (iii) Maintenance Case No.62 of 2014 at Dumra Court, Sitamarhi and other cases also if any.

4. That the petitioners are paying a sum of Rs.30 lacs (Rupees Thirty Lacs) to Opposite Party No.2 towards full and final settlement which is being paid through Demand Drafts, the details of Demand Drafts are as follows:-

(i) D.D.No.306486 dated 29.07.2022 of Rs.5.00 Lacs.

(ii) D.D.No.306485 dated 29.07.2022 of Rs.5.00 Lacs.

(iii) D.D.No.306487 dated 29.07.2022 of Rs.15.00 Lacs.

(iv) D.D.No.306488 dated 30.07.2022 of Rs.5.00 Lacs.

5. That there is no pressure upon any of the parties for this compromise and both the parties are filing the compromise without any pressure and undue influence.

6. That the Opposite Party No.2 shall withdraw all the cases which is pending at different courts i.e. New Delhi and Sitamarhi against the petitioners.

7. That by way of full and final one time settlement the petitioners are paying a sum of Rs.30 Lacs (Rupees Thirty Lacs) through Bank Demand Drafts. This is full and final payment and thereafter none of the parties will have any claim against each other in future and they will not interfere in the personal life of each other with regard to their respective properties.

8. That since the parties have compromised the case outside the court as such it is in the interest of justice and fair play.

9. That the parties further agree that if there is no divorce decree the petitioner Abhishek Kumark as well as Opposite Party No. 2 Satyawati @ Vanya Priyadarshi will file a joint Divorce petition under Section 13(b) of the Hindu Marriage Act on the basis of the present compromise petition before a competent court at Patna.

10. That it is needless to state that the cases which



have been filed either by the petitioners or by the Opposite Party No. 2 will be dropped on the basis of the said joint compromise petition.

11. That the present Cr. Revision Application No.101 of 2022 may kindly be allowed in terms of the compromise entered into in between the parties and petitioners be exonerated from this criminal case.”

Learned counsel for the petitioners has handed over the demand drafts fully detailed in paragraph ‘4’ of the interlocutory application to Mr. Ayush Kumar, learned counsel for the opposite party no.2.

Learned counsel for the opposite party no.2 undertakes to hand over those demand drafts to the opposite party no.2 within one week from today and shall file receipt showing handing over of the demand drafts.

This revision application has been filed for setting aside the order dated 07.03.2020 passed by learned Additional Sessions Judge-X, Sitamarhi in Cr.Appeal No.64 of 2019 whereby and whereunder the appellate court dismissed the appeal preferred by the petitioners against the order of conviction dated 30.09.2019 passed by learned Sub-Divisional Judicial Magistrate, Sadar, Sitamarhi in G.R. Case No.1084/2014 arising out of Dumra P.S. Case No.85 of 2014, Trial No.1647 of 2019, Registration No.2930 of 2016 whereby and whereunder the learned Sub-Divisional Judicial Magistrate, Sadar, Sitamarhi has been pleased to convict the petitioners for the offence under Section 498(A) of the Indian



Penal Code and Section 4 of the Dowry Prohibition Act and on the same day i.e. on 30.09.2019 sentenced the petitioners to undergo S.I. for two years and fine of Rs.5000/- under Section 498(A) of the Indian Penal Code and in default to undergo S.I. for 30 days in addition to above sentence and he further sentenced the petitioners to undergo S.I. for one year and fine of Rs.5000/- and in default of payment of fine to undergo S.I. for 30 days. He, however, has been pleased to order that both the sentences will run concurrently.

In view of the compromise reached between the parties and the consent of learned counsel representing them, this Court allows the interlocutory application.

As a result of this, the impugned orders under challenge in the present revision application are hereby set aside and the revision application is allowed.

The parties are directed to abide by the terms of the compromise.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

