

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8132 of 2021

Arising Out of PS. Case No.-5314 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Rajan Sah Son of Late Mahendra Prasad Sah Resident of Vishal Pride, Falt
no. 6, Vidyanagar, Dhanori, Pune, Maharastra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Raj Wife of Rajan Sah Daughter of Raj Kumar, Resident of Trishul
Complex, First Floor, Khajpura, P.S.- Shastrinagar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Anjani Kumar Jha, Advocate
For the State	:	Mr. Akhileshwar Dayal, APP
For Opp. Party No.2	:	Mr. Dharendra Nath Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 18-05-2022 Heard the parties.

Learned counsel for the parties submit that both the parties have agreed for settlement of their dispute. It has been agreed that the petitioner shall pay Rs.12,00,000/- (Rupees twelve lakhs) to the opposite party no.2 and thereafter the petitioner will file an application for divorce with mutual consent and the criminal case will also be quashed.

During mediation proceeding itself, the amount of Rs.10,00,000/- (Rupees ten lakhs) has already been paid by the petitioner to opposite party no.2. The same is supported by the learned counsel for the opposite party no.2. Both the parties submit that they shall be filing an application in the pending divorce proceeding by mutual consent in the court of the



Principal Judge, Family Court, Patna and the Principal Judge, Family Court, Patna be directed to expedite the same.

The Principal Judge, Family Court, Patna is directed to expedite Divorce Case No. 510 of 2020. If an application for divorce with mutual consent is filed in the aforesaid Divorce Case, the same shall be decided within seven months from the date of its filing. On the date of first motion, the petitioner shall produce a copy of demand draft for Rs.10,00,000/-. On the date of second motion, the petitioner will produce demand draft for Rs.2,00,000/- which shall be released in favour of the opposite party no.2.

The period of six months between the first motion and the second motion can be waived off in accordance with law if the parties pray.

This application is disposed of in view of the agreement between the parties. The entire proceedings of Complaint Case No. 5314(C) of 2017 are hereby quashed.

Let a copy of this order be communicated to the Principal Judge, Family Court, Patna for its compliance through FAX and e-mail.

(Sandeep Kumar, J)

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