

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.62200 of 2019

Arising Out of PS. Case No.-2981 Year-2015 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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ANSUL GUPTA @ ANSUL S/O Bharat Lal Gupta @ Bharat Lal Sah R/O
Mohalla- Jaya Niketan through Sri Bharatlal Sah 138 Shaktinagar, Faijabad
Road, Near Degree College, P.S.- Lucknow, Distt.- Lucknow, State- Uttar
Pradesh.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shefali Gupta W/O Ansul Gupta @ Ansul , D/O Mukti Nath Gupta At
Present R/O Mohalla- Brahampura New Colony, Near Sanjay Cinema, P.S.
Brahampura, Distt.- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

7 09-03-2022

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
registered under Sections 323 and 498A of the Indian Penal Code and
¾ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon
the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. It has been
submitted on behalf of the petitioner that the matter was referred to
the Mediation Centre and the same has been resolved between the
parties. As per the report of the mediator, following are the terms of
settlements:

PATNA HIGH COURT MEDIATION CENTRE

Mediation Proceeding No. 195 of 2020
[Arising out of Cr. Misc. No. 62200 of 2019]
Ansul Gupta @ Ansul



Versus
The State of Bihar and Anr.

This agreement is executed at Patna High Court Mediation Centre on the dated 09-12-2021.

B E T W E E N

Ansul Gupta @ Ansul, Son of Bharat Lal Gupta @ Bharat Lal Sah, resident of Mohalla-Jaya Niketan through Sri Bharatlal Sah, 138 Shaktinagar, Faijabad Road, Near Degree College, P.S.- Lucknow, District-Lucknow, State-Uttar Pradesh.

“First Party/Petitioner”

A N D

Shefali Gupta, wife of Ansul Gupta @ Ansul, D/o Mukti Nath Gupta at present resident of Mohalla- Brahampura New Colony, Near Sanjay Cinema, P.S.-Brahampura, District-Muzaffarpur.

“Second Party No. 2/ Opposite Party No. 2”

This court referred mediation proceeding held on 09-12-2021 at Patna High Court Mediation Centre admits the following:-

1. The parties to the mediation proceeding namely Ansul Gupta @ Ansul (petitioner) of Cr. Misc. No. 62200 of 2019 and Miss. Shefali Gupta @ Sefali, the Opposite party No. 02 in above referred Cr. Misc. No. 62200 of 2019 finally settle all their disputes arising out of the Complaint Case No. 2981 of 2015 as well as other cases pending in different Courts stated below.

2. The parties to this proceeding, acknowledge and admit that after the judgment dated 02-05-2019 and decree dated 30-08-2019 passed in O.A. No. 79 of 2017 (Ansul Gupta Versus Smt. Shefali



Gupta) passed by Principal Judge, Family Court, Lucknow the marriage held on 19.04.2012 no longest exist and the parties are separate and have no contact to one another.

3. The parties hereto referred above further through the mediation proceeding further settle the other disputes which are stated below:-

(i) Complaint Case No. 2981 of 2015 filed by Complainant Shefali Gupta against her husband Sri Ansul Gupta and his parent namely Bharat Lal Sah @ Bharat Lal and Jaya Gupta wife of Bharat Lal Gupta, pending in the judgship Muzaffarpur.

(ii) Maintenance Case No. 430 of 2015 filed by Shefali Gupta @ Shefali for maintenance from Ansul Gupta. The parties hereto through this mediation agreement admit that other than there two cases, no any other case is pending against Sri Ansul Gupta and his family members/Miss. Shefali Gupta vice versa his family members.

(iii) The parties hereto namely Sri Ansul Gupta and Miss. Shefali Gupta @ Shefali now settle the above referred two litigations and all disputes in the following terms:-

(i) That Sri Ansul Gupta had agreed to pay Rs. 8,00,000/- (Rupees Eight Lakh) only on account of pendelite and future maintenance for which he has brought two bank drafts of Indian Overseas Bank, Lucknow Main Branch bearing Draft No. 492661, dated 08-12-2021 for valuation of Rs. 4,00,000/- (Rupees four Lakh) and Draft No. 492660, dated 08-12-2021 for valuation of Rs.



4,00,000/- (Rupees Four Lakh) total amount Rs. 8,00,000/- (Rupees Eight Lakh) handed over to opposite party No. 2 namely Miss. Shefali Gupta @ Shefali who accepts it as full as final claims for all her entitlements.

(ii) That Miss. Shefali Gupta @ Shefali accepts that after receiving this amount she will not have any claim of Maintenance and she will file an application immediately for withdrawal of maintenance case No. 430 of 2015 pending in the Court of Learned Principal Judge, Family Court, Muzaffarpur.

(iii) Miss. Shefali Gupta @ Shefali also undertakes to file compromise-cum-withdrawal petition and annexing of this agreement in before the Learned A.D.J.M. East, Muzaffarpur for withdrawal Complaint Case No. 2981 of 2015 the Complaint-cum-withdrawal petition will be for withdrawing entire case against all accused in the case.

(iv) The parties hereto further admit that since their divorce and they have no connection, they will not do any act or deed causing any dispute in future.

(v) After this agreement it is mutually agreed and conformed that there is no dispute between the parties and the parties have dissolved litigation and confusion. Reiterating above terms and conditions, which have been made by the parties voluntarily and good faith and the parties have read over the terms and conditions of this agreement.



The parties hereto rectify it by signing this agreement.

Sd/-

Sd/-

(Ansul Gupta @ Ansul) **(Shefali Gupta @ Shefali)**
Signature of the petitioner Signature of the opposite party No. 2

Sd/-

Sd/-

(Anish Kumar) **(Pankaj Kumar Singh)**
Signature of the petitioner advocate Signature of the O.P. No. 2 Advocate
A.O.R. No. 2759 A.O.R. No. 3902
09-12-2021 09-12-2021

Considering the aforesaid facts and circumstances of the case,
the petitioner, above named, in the event of arrest or surrender before
the learned court below within a period of twelve weeks from today,
be released on anticipatory bail on furnishing bail bond of Rs.
10,000/- (ten thousand) with two sureties of the like amount each to
the satisfaction of learned Sub Divisional Judicial Magistrate, East,
Muzaffarpur in connection with Complaint Case No. 2981 of 2015
subject to conditions as laid down under Section-438(2) of the Code
of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

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