

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86470 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- MAHILA PS District- Gopalganj

SANTOSH KUMAR SINGH @ SANTOSH SINGH S/o Yogendra Singh, R/o village- Turkwaliya (Chanari Chauraha), P.S.- Sewarahi, District- Kushinagar, Uttar Pradesh. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Amrita Kumari W/o Santosh Kumar Singh, D/o Ravindra Singh Presently residing at Village- Khairatiya, Ramnagar, P.S.- Jadopur, District- Gopalganj. Bihar. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Indrajeet Bhushan
For the State	:	Mr.Dr.Mrityunjaya Kr.Gautam
For the O.P. No. 2	:	Mr. Setu Prateek, Adv.

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

5 21-06-2022 Heard the learned counsel for the petitioner as well as the learned counsel for opposite party No. 2.

The petitioner apprehends his arrest in connection with Gopalganj (Mahila) P.S. Case No. 11 of 2019 registered for offence punishable under sections 341, 323, 307, 498(A), 506/34 of the Indian Penal Code and sections 3/4 of the Dowry Prohibition Act.

It is a case of matrimonial dispute. As per allegation, the informant, Amrita Kumari was tortured for non-fulfillment of dowry demand and the matter was referred to the Patna High Court Mediation and Conciliation Centre. The report of Mediation Centre dated 30.05.2022 has been annexed with this record at flag 'C'. The terms and conditions of promise have been incorporated



in paragraphs 1 to 5 of the meditation report, which is being extracted herein below:-

“ 1. That after great persuasion both the parties agreed to live separately and for this the petitioner offered to pay Rs.3,30,000/- (Rupees Three Lakh and thirty thousand only) and utensils and goods’ for full and final settlement and Opposite party No. 2 accepted the offer and gave her consent to finally compromise this case i.e. Gopalganj (Mahila) P.S. Case No. 11 of 2019 pending in the Court of S.D.J.M., Gopalganj. Opposite party No. 2 has already received draft of Rs.3,30,000/- (Rupees Three Lakh and thirty thousand only) bearing bank draft No. 049662, issued by Punjab National Bank, Seorahi (Kushinagar) U.P. dated 26.05.2022 and the utensils and goods. The opposite party no. 2 has already taken her all belonging from her matrimonial home on 21.05.2022.

2. This settlement shall be full and final settlement and no any claim in future against each other.

3. That Opposite Party No. 2 also agreed to withdraw the case and she does not want to proceed with the all Civil/Criminal cases.

4. That both the parties will file an application U/s



13(B) of Hindu Marriage Act, before the Principal Judge, Family Court, Gopalganj in Maintenance Case No. 37 of 2021 (Amrita Kumari Versus Santosh Kumar Singh).

5. That both the parties will never claim for any grievances either matrimonial disputes and share of property of each other.”

Considering the fact that both the parties have decided to live separately on the conditions mentioned in paragraphs 1 to 5 of the mediation report, let the petitioner above named, in the event of his arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Gopalganj in connection with Gopalganj (Mahila) P.S. Case No. 11 of 2019, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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