

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84247 of 2019

Arising Out of PS. Case No.-189 Year-2019 Thana- NATHNAGAR District- Bhagalpur

SATYMEO SUMAN Son of Late Faiju Mandal Resident of Village- Laxman
Bagh, Police Station- Nathnagar, District- Bhagalpur.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Kalyani Kumari Wife of Satymeo Suman and daughter of Shri Ranveer Singh Resident of Village - Basantpur, Police Station- Lodipur, District - Bhagalpur.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr.Syed Masleh Uddin Ashraf
For the Opposite Party/s	:	Mrs. Sangeeta Sharma
For O.P. No. 2	:	Mr. Dilip Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 12-01-2022 Due to the third wave of COVID-19 Pandemic, the
matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for O.P. No. 2 through virtual
mode.

The petitioner is apprehending his arrest in a case
registered under Section 498A/34 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.



The matter was referred to the Mediation Centre of the Patna High Court vide order dated 20.02.2021 passed by a Co-ordinate Bench of this Court.

A report has been submitted by the Mediator. It has been indicated that the parties have agreed to settle their dispute. Following is the terms of settlement arrived at between the parties:

**PATNA HIGH COURT MEDIATION CENTRE
Mediation Proceeding No. 161 of 2020
(Arising out of Cr. Misc. No. 84247 of 2019)**

Satymeo Suman

Versus

The State of Bihar & another.

This agreement is executed at Patna High Court Mediation Centre on the 16th day of December of 2021.

B E T W E E N

Satymeo Suman @ Satyamev Suman, Son of Late Faiju Mandal, Resident of Village- Laxman Bagh, P.S.- Nathnagar, District-Bhagalpur, presently address-Railway Colony, D-10, Room No. 204, Carriage repairing Factory, Harnaut, District- Nalanda (Bihar) hereinafter called **“Husband”** which expression shall, unless repugnant to the context or meaning hereof, mean and include their heirs, successors, legal representatives, administrators, executors, nominees and assigns, of the **“First Part.**

A N D

Kalyani Kumari, wife of Satymeo Suman and daughter of Shri Ranveer Singh, Resident of Village Basantpur, P.S.- Lodipur, District- Bhagalpur, hereinafter called **“Wife”** which expression shall, unless repugnant to the context or meaning hereof, mean and include their heirs, successors, legal representatives, administrators, executors, nominees and assigns, of the **Second Part.”**

WHEREAS the First Party, Satymeo Suman @ Satyamev Suman and the Second Party, Kalyani Kumari were married in accordance with the Hindu rites and ceremonies at



Village-Basantpur, Thana-Lodipur, Bhagalpur (Bihar) on 31.05.2015. No child was born out of wedlock of the First Party, Satymeo Suman and Second Party, Kalyani Kumari.

AND WHEREAS owing to incompatibility of temperaments between the parties, they could not pull on well in matrimonial life. They have also not been able to live together.

AND WHEREAS in spite of best efforts of family members as well as well-wishers, the parties could not resolve their disputes and differences and as such they have not been able to live together. The parties are living separately for a period of more than 3 years i.e. since 22.11.2018. There is no hope of any reconciliation between them.

AND WHEREAS the dispute and differences between the parties has arisen resulting into following litigations:

Sl. No.	Particulars of Lower Court	Particulars of High Court
01.	Nathnagar (madhusudanpur) Police Station Case No. 189 of 2019 pending in Court of ACJM, Bhagalpur. U/S 498A, 34 of I.P.c. and ³ / ₄ Dowry Prohibition Act.	Cr. Misc. No. 84247 of 2019 Satymeo Suman vs. The State of Bihar
02.	Matrimonial Case No. 334 of 2019 filed in the Court of Principal Judge, Family Court, Bhagalpur for divorce u/s 13(i) (ia) the Hindu Marriage Act, 1955 was dismissed in default.	

AND WHEREAS both parties have agreed to settle their dispute through the process of mediation without any threat coercion undue influence or fraud and have decided to dissolve the marriage through mutual consent.

NOW THESE PRESENTS WITNESS AND IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. That the First Party, Satymeo Suman and the Second Party, Kalyani Kumari have agreed to dissolve their



relationship as husband and wife by filing joint petition for divorce under section 13(B) of the Hindu Marriage Act before the learned Family Court, Bhagalpur and shall take all necessary steps in this regard.

2. That the First Party, Satyameo Suman have agreed to pay one time permanent alimony of Rs. 15,00,000/- (Rupees Fifteen Lac only) to Second party Kalyani Kumari in two installments.

3. The first instalment of Rs. 10,00,000/- (Rupees Ten Lax only) shall be paid at the time of hearing of Cr. Misc. No. 84247 of 2019 vide demand draft No. 887900, dated 04.12.2021 and the second instalment of Rs. 5,00,000/- (Rupees Five Lac) shall be paid to the Second Party at the time of admission of divorce petition on mutual ground before the Principal Judge, Family Court, Bhagalpur.

4. The First Party has returned all goods and articles including the Matriculation Certificate to the second party and the Second party admits the receipt of goods and articles including her Matriculation Certificate.

5. That both parties shall not claim any right title and interest in person or any property of each other after this agreement.

6. That both parties have agreed to withdraw the allegations levelled each other.

7. That either parties or their family members shall not claim any amount from other parties or their family members.

8. That the Second Party shall withdrawn the Nathnagar (Madhusudanpur) Police Station Case No. 189 of 2019, pending in the Court of ACJM-1, Bhagalpur. U/s 498A, 34 of I.P.C. and $\frac{3}{4}$ Dowry Prohibition Act filed against the all accused person and shall take all necessary steps for withdrawal of said case.

9. That if the First Party makes any default of the conditions mentioned in this agreement, the Criminal Proceeding shall be revived and amount of Rs. 10,00,000/- (Rupees Ten Lac only) paid to the Second Party shall be forfeited.

10. That if the Second party makes any default of the conditions mentioned in this agreement, the First Party shall



recover the amount paid pursuant of this agreement along with interest @ 10 % per annum from the second party.

11. That both parties have agreed to withdraw all cases (Civil or Criminal) whether knowledge of either of the party within the knowledge of other party.

IN WITNESS WHEREOF THE PARTIES HAVE SET AND SUBSCRIBED THEIR RESPECTIVE HAND ON 16TH December, 2021 IN THE PRESENCE OF WITNESSES.

WITNESS

Sd/ 16/12/2021
(Syed Maslesh Uddin Ashraf)
Advocate AOR. 00108

Sd/16/12/21
First Party Satymeo Suman
@ Satyamev Suman)

Sd/ 16/12/21
(Dilip Kumar)
Advocate A.O.R. 02465

Sd/16/12/2021
Second Party Kalyani Kumari

In pursuance of the agreement arrived at between the parties, a demand draft No. 887900 dated 04.12.2021 of State Bank of India for an amount of Rs. 10 lacs has also been furnished which is part of this record.

Considering the fact that the matter has been resolved between the parties, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bonds to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 189 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

The demand draft, which has been furnished by the learned counsel for the petitioner, shall be handed over to the learned counsel for O.P. No. 2 within a period of three weeks by the office of this Court. At the time of handing over of the said draft, the receipt shall be obtained by the Office of this Court from the counsel for O.P. No. 2.

(Sudhir Singh, J)

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