

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7883 of 2020

Arising Out of PS. Case No.-147 Year-2018 Thana- RAMKRISHNANAGAR District- Patna

1. Priyam Priyadarshi S/o Upendra Kumar Sinha R/o Mohalla- Khemanichak, P.S.- Ramkrishna Nagar, Distt.- Patna
2. Upendra Kumar Sinha S/o Late Gauri Shankar Prasad R/o Mohalla- Khemanichak, P.S.- Ramkrishna Nagar, Distt.- Patna
3. Prabha Devi @ Prabha Kumari Devi W/o Upendra Kumar Sinha R/o Mohalla- Khemanichak, P.S.- Ramkrishna Nagar, Distt.- Patna
4. Mona Sinha D/o Upendra Kumar Sinha R/o Mohalla- Khemanichak, P.S.- Ramkrishna Nagar, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manisha Sinha, daughter of Shri Ram Kripal Lal, resident of Mohalla- Anand Bihar Colony (Anisabad) P.O.- Anisabad, P.S.- Gardanibagh, Dist.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binoy Kumar
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 26-06-2023 Heard learned counsel for the parties.

This application is filed for quashing the F.I.R. vide Ramkrishna Nagar P.S. Case No. 147/2018, arising out of G.R. No. 2568/2018 for the offence under Section 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The dispute between the parties has been settled on the following terms:

1. *The petitioner Priyam Priyadarshi,*



offered to pay Rs. 16,00,000/- (Rupees Sixteen Lac) in two installments as lump-sum as full and final settlement and Swift Dzire Maruti Car bearing No. BR-01-DA-Y449, shall be paid/returned to the opposite party no. 2 namely Manisha Sinha as one time settlement for all the cases pending between the parties. The opposite party No. 2 Manisha Sinha accepted the offer.

2. That after full and final payment the Ram Krishna Nagar P.S. Case No. 147 of 2018 pending in the court of learned Sub-Judge XIII-cum- ACJM, Patna, and the proceeding arising thereof shall be treated as compromised in between the parties. On the basis of the compromise arrived at each and every dispute in between the parties shall be dropped. Likewise Matrimonial Case No. 83/2019, pending before the learned Court of Principal Judge, Family Court, Patna will be disposed off as consent divorce.

3. That after final payment of the agreed amount as disclosed above and the car both party will live separately and will not claim anything in future against each other.

4. That the petitioner and the opposite party no. 2 will become free and



independent for solemnization of another marriage after making full and final payment and return of the said Swift Dzire Maruti Car bearing No. BR-01-DA-9449.

5. The amount of Rs. 16,00,000/- (Rupees Sixteen Lacs) will be paid in two equal installments 1st in the 1st week of April and in 2nd week of May, 2019.

6. That the aforesaid contents of the agreement have been read over and explained into Hindi, which have fully been understood and accepted by the parties. So far Swift Dzire Maruti Car bearing No. BR-01-DA-9449 is concern it has been handed over today itself by petitioner to opposite party No. 2 namely Manisha Sinha has accepted the same.

Hence, in the above terms and conditions a settlement has been arrived between the parties and both have signed in presence of their respective learned counsel, who have also put their signature on this agreement.

Learned counsel for the petitioner submits that the amount of Rs. 16,00,000/- (Rupees Sixteen Lac) has already been received by the opposite party no. 2 and a Swift Dzire Car has been returned by the petitioner. He further submits that



the divorce proceeding is still pending.

Considering the aforesaid submission, this application is allowed.

The F.I.R. vide Ramkrishna Nagar P.S. Case No. 147/2018, arising out of G.R. No. 2568/2018 is hereby quashed with respect to the petitioners.

The Matrimonial Case No. 83 of 2018, pending in the court of Principal Judge, Family Court, Patna shall be disposed by the Principal Judge, Family Court, Patna/ Additional Principal Judge, Family Court, Patna within three months from the date of receipt of the copy of this order. The family court will proceed in the matter *ex-parte* against non appearing party.

With the aforesaid observation and direction, this application is allowed.

(Sandeep Kumar, J)

Ranjeet/-

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