

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13193 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- MAHILA PS District- Buxar

1. UMESH KUMAR Son of Banarsi Ram Resident of Village- Pipariya, P.O.- Pipariya, P.S.- Mohaniya, District- Kaimur.
2. Banarsi Ram S/o Dukhdavan Ram Resident of Village- Pipariya, P.O.- Pipariya, P.S.- Mohaniya, District- Kaimur.
3. Praveen Kumar @ Praveen Ram S/o Banarsi Ram Resident of Village- Pipariya, P.O.- Pipariya, P.S.- Mohaniya, District- Kaimur.
4. Rajesh Kumar @ Rajesh Ram Son of Banarsi Ram Resident of Village- Pipariya, P.O.- Pipariya, P.S.- Mohaniya, District- Kaimur.
5. Tetari Devi W/o Banarsi Ram Resident of Village- Pipariya, P.O.- Pipariya, P.S.- Mohaniya, District- Kaimur.
6. Saraswati Devi W/o Praveen Kumar @ Praveen Ram Resident of Village- Pipariya, P.O.- Pipariya, P.S.- Mohaniya, District- Kaimur.
7. Kumari Seema Kumari @ Sima Devi W/o Rajesh Kumar @ Rajesh Ram Resident of Village- Pipariya, P.O.- Pipariya, P.S.- Mohaniya, District- Kaimur.
8. Kumari Nirsa Devi @ Nisha Devi W/o Sujeet Kumar @ Sujeet Ram Resident of Village- Pipariya, P.O.- Pipariya, P.S.- Mohaniya, District- Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Kumari W/o Umesh Kumar, D/o Sri Lalan Ram Resident of Village- Salathua, P.S.- Brahampur, District- Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Singh
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 13-07-2023 Heard the learned counsel for the parties.

This application has been filed for quashing the F.I.R.
along with entire criminal proceeding initiated vide Buxar
Mahila P.S. Case No. 04/2022 dated 14.01.2022 bearing G.R.



No. 93/2022 for the offence under Sections 341, 323, 504,, 506, 498 'A'/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

As per prosecution, opposite party no. 2 filed written statement before Buxar Mahila P.S. Incharge on 14.01.2022 stating that she was married with one Umesh Kumar after marriage she was tortured by her husband and in law families just after two days due to non-fulfillment the demand of four wheeler. They also pressurized her for giving divorce. On the basis of written report Mahila P.S. Case No. 04/22 was registered.

Notice is treated to be validly served.

Learned counsel for the petitioners submit that the dispute between the parties is on the verge of settlement and an application of divorce by mutual consent has been filed between the parties. In these circumstances, further proceeding in the present case in the court below shall remain stayed. After the disposal of the divorce petition the order of the Principal Judge will be filed in the court below and if the divorce is granted because of mutual consent then the entire criminal prosecution against all the accused persons in the case shall be dropped by the court below.



With the aforesaid observation, this application is
disposed of.

(Sandeep Kumar, J)

Ranjeet/-

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