

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16678 of 2016

Arising Out of PS. Case No.-344 Year-2013 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Lalan Jha @ Sanjay Jha son of Shardanand Jha, Resident of Village- Tiswara,
P.S.- Sarairanjan, District- Samastipur.

... .. Petitioner/s

Versus

1. State of Bihar
2. Annu Devi wife of Lalan Jha alias Sanjay Jha, Daughter of Bindunath Jha,
Resident of Village- Champa, P.S.- Arer, District- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-09-2023 Heard learned counsel for the parties.

2. This application has been filed for quashing of
order dated 03.10.2013 passed in C.R.No.344 of 2013,
T.R.No.4563 of 2013.

3. Learned counsel appearing on behalf of the
petitioner submits that order dated 03.10.2013 has been passed
in C.R.No.344 of 2013, T.R.No.4563 of 2013 whereby and
whereunder the learned Judicial Magistrate 1st Class,
Madhubani has issued processes against the petitioner and other
accused persons under Sections 498A, 323 and 504/34 of the



Indian Penal Code.

4. From perusal of order taking cognizance dated 03.10.2013, it appears that the cognizance has been taken under Section 498A, 323 and 504/34 of the Indian Penal Code.

5. Learned counsel appearing on behalf of the petitioner submits that he has received instruction that the petitioner is willing to go for amicable settlement with his legally wedded wife.

6. Considering the aforesaid submissions made on behalf of the petitioner as well as the fact that the dispute is between the husband and wife and the petitioner (being husband) is willing to go for amicable settlement and there is every chance of living happy matrimonial life by them, this Court finds that the order taking cognizance is fit to be quashed taking into consideration the object of the Family Court Act that the Court should try till last for amicable settlement between the husband and wife to live happy matrimonial life by them.

7. Accordingly, order dated 03.10.2013 passed in C.R.No.344 of 2013, T.R.No.4563 of 2013 by the learned Judicial Magistrate Ist Class, Madhubani is hereby set aside and the matter is remitted to the learned court below for taking effective steps for settlement of conjugal life of the parties.



8. With the above observation/direction, the present
quashing application is disposed of.

(Purnendu Singh, J)

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