

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57867 of 2018

Arising Out of PS. Case No.-2233 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Saurav Kumar and Ors son of Krishnandan Singh @ Krishna Nandan Singh
 2. Krishnandan Singh @ Krishna Nandan Singh son of Late Bhagai Mahto
 3. Manju Kumari wife of Krishnandan Singh @ Krishna Nandan Singh All are resident of Mohalla - Telco Colony, Quarter No. P - 7/8, Police Station - Telco Colony, District - Jamshedpur Jharkhand.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Sweety Singh wife of Saurav Kumar, Daughter of Surendra Prasad Singh resident of Raghu Hari Apartment, Saketpuri, Police Station - Patrakar Nagar, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Sri Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

9 05-10-2023 Heard learned counsel for the petitioners and learned

A.P.P. for the State along with learned counsel for the Opposite

Party No.2.

2. The present case has been taken out of turn on the
mentioning made by the learned counsel for the petitioners.

3. The learned counsel for the petitioners submits that
by order 18.04.2023, the learned Co-ordinate Bench was
pleased to grant stay of the further proceedings in Complaint
Case No. 2233 of 2015 pending in the Court of learned C.J.M,
Patna, as well as, Maintenance Case No. 253 of 2018 pending in



the Court of learned Principal Judge, Family Court, Patna. The learned counsel submits that the petitioner and the Opposite Party No.2 have entered into a compromise and in terms of the compromise, the petitioner has already withdrawn the criminal case and the divorce case which he had filed earlier. It is next submitted that in terms of the compromise, the settlement arrived in between the petitioner and the Opposite Party No.2 is at Rs. 39,00,000/- (Rupees Thirty Nine Lakh) by way of one time settlement, out of which petitioner has paid Rs. 10,00,000/- (Rupees Ten Lakh) and rest amount had to be paid within a period of eight months, i.e. the entire amount had to be paid prior to 23.11.2023. It is next submitted that since the stay was granted by the learned Co-ordinate Bench of this Court vide order dated 18.04.2023, as such, the Opposite Party No.2 herein could not withdraw the Complaint Case and the Maintenance Case and if the stay is vacated in that event the Opposite Party No.2 will withdraw the Complaint Case, as well as, Maintenance Case filed by her, since, the issue between the petitioner and the Opposite Party No.2 stands amicably settled in terms of the compromise which is annexed as 'Annexure-C' to the I.A. No.1 of 2023.

4. The learned counsel for the Opposite Party No.2



also does not dispute the submissions made by the learned counsel for the petitioners.

5. The learned counsel for the petitioners thus seeks permission to withdraw the quashing application so that the Opposite Party No.2 can withdraw the Complaint Case, as well as, Maintenance Case.

6. Permission is accorded.

7. However, it is made clear that in the event if the amount as agreed in the compromise is not paid by the petitioner to the Opposite Party No.2 by 23.11.2023, the Opposite Party No.2 shall be at liberty to initiate action in accordance with law against the petitioner.

(Satyavrat Verma, J)

Nilmani/-

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