

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.385 of 2022

Arising Out of PS. Case No.- Year-0 Thana- District- Purnia

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Gautam Kumar S/o Ram Sundar Sah Resident of Village- Saraigarh, P.S.-
Bhaptiahi, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chanda Kumari S/o Gautam Kumar, D/o Yogendra Prasad Sah Resident of
Village- Chakla, P.S.- Banmankhi, District- Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Murari Narain Chaudhary, Adv. with
	:	Mr. Vijay Kr., Adv.
For the Respondent/s	:	Mr. Surendra Pd. Singh, APP
For the O.P./s	:	Mr. Pramod Kr. Malik, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 16-03-2023

Heard learned counsel for the petitioner and
counsel for the State.

Counsel for the petitioner and counsel for O.P.
jointly prayed that independent of the pleadings of the parties
full and final settlement amount Rs.9 lac has already been fixed
and out of 9 lac, 7 lac was admittedly paid by the petitioner to
O.P. No.2.

Counsel for the petitioner submits that he is ready
to pay the rest Rs. 2 lac but he has only apprehension that after
receiving the money, O.P. No.2 shall not acted upon and entire
case shall continued even after payment of said money whereas

counsel for O.P. No.2 submits that as per the order by this Hon'ble Court dated 06.09.2022, he has made partial payment only and his undertaking that he will make final payment in further 18 months, has not been made.

At this juncture, the responsibility of the respective counsels are more than the parties. In settlement, the role of respective advocates are very prominent. With the discussion of the counsels that they are ready to conclude the entire litigation at any cost. They jointly ready to follow the following step-wise procedure for closing the case:-

1. O.P. No.2, her counsel and petitioner and his counsel shall prepare a petition for mutual divorce jointly filed before the competent court. O.P. shall support for admission of the Divorce case.

2. On the date of admission, Rs.50,000/- amount shall be given by the petitioner to the O.P. No.2 through advocates and rest Rs.1,50,000/- shall be paid by the petitioner after 6 months i.e. the day on which the evidence took place after cooling period (6 months), thereafter.

Counsel for O.P. No.2 assures to counsel for petitioner as well as to this Hon'ble Court that he shall do all the needful for closing criminal case also. The Rs. 9 lac is full and

final settled amount between the parties and in future, they shall not raise any claim in any manner whatsoever may be against each other.

With this direction, this Cr. Revision case is hereby **disposed of** with the undertakings given by the parties.

(Dr. Anshuman, J.)

prakashmani/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	