

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15845 of 2018

Arising Out of PS. Case No.-24 Year-2016 Thana- MAHILA PS District- Gopalganj

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1. Sheshnath Prasad, S/o Late Yashoda Sharan Sah @ Late Jasoda Lal.
 2. Santosh Kumar @ Santosh Kumar Gupta, S/o Sheshnath Prasad.

Both resident of Village-Dakchin South, Mohalla-Hathua Mode, P.S.-
Mirganj, District- Gopalganj.

... .. Petitioners

Versus

1. State of Bihar
2. Pritika Kumari W/o Santosh Kumar Gupta, D/o Baliram Prasad, R/o
Mohalla- Nonia Toli, Ward No.20, P.S.District- Gopalganj.

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Dhramveer, Advocate
For the State	:	Mr. Md. Ashlam Ansari, APP
For Opp. Party No.2	:	Mr. Vyas Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 14-03-2023 Heard learned counsel appearing for the parties.

This application has been filed for quashing of order dated 25.01.2018 passed by learned Sub Divisional Judicial Magistrate, Gopalganj, in G.R. No. 1712 of 2016 arising out of Gopalganj Mahila P.S. Case No. 24 of 2016 (Trial No.2343 of 2018), by which the learned Magistrate has accepted the Final Form and closed the proceeding of the aforesaid case and further reopened the proceeding of Complaint Case No. 4130 of 2016 which was stayed vide order dated 10.03.2017. The said Complaint Case No. 4130 of 2016 has been filed by



the opposite party no.2 against the petitioner.

The petitioner no.1 is the father-in-law and petitioner no.2 is the husband of the informant.

Learned counsel for the petitioner and learned counsel for the opposite party no.2 jointly submit that the matter has been settled between the parties and an amount of Rs.3,75,000/- has been paid to the opposite party no.2 by the petitioner and therefore, they jointly pray that this Court may pass appropriate order.

Considering the fact that now there is no dispute between the parties and to do complete justice, the order dated 25.01.2018 is quashed to the extent of direction regarding issuance of summons against the petitioners. The first part of the order regarding acceptance of Final Form and closure of G.R. No. 1712 of 2016, arising out of Gopalganj Mahila P.S. Case No. 24 of 2016 is confirmed.

The Complaint Case No. 4130 of 2016 registered for the offences under Section 313, 498-A and 406 of the Indian Penal Code and under Section 3,4 and 5 of the Dowry Prohibition Act pending in the Court of learned Chief Judicial Magistrate, Gopalganj and all consequential proceedings arising out of the said complaint case are hereby quashed.



Accordingly, the present application stands
disposed of.

(Sandeep Kumar, J)

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