

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.53645 of 2018

Arising Out of PS. Case No.-10 Year-2017 Thana- MEHUSH District- Sheikhpura

Vidya Prakash

... .. Petitioner/s

Versus

State Of Bihar and Anr

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kaushik

For the Opposite Party/s : Mr. Ujjawal Bhushan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 26-06-2024 1. The petitioner is husband of the opposite party no. 2 and has filed the present application for quashing the order, dated 19.01.2018, passed by learned Judicial Magistrate 1st Class, Sheikhpura in Mehus Police Station Case No. 10 of 2017, whereby the petitioner has been summoned after taking cognizance of the offences punishable under Sections 323/341/307/313/406/498A read with 34 and 120B of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.
2. Learned counsel appearing for the petitioner submits that arising out of the same order taking cognizance, dated 19.01.2018, co-accused persons, who are relatives of the petitioner, approached this Court in Criminal



Miscellaneous No. 16142 of 2018. The informant-opposite party no. 2 appeared in the aforesaid case and submitted that both the parties have amicably settled their disputes and the informant is not interested in pursuing the criminal proceeding against the accused persons. Accordingly, this Court quashed the order taking cognizance, dated 19.01.2018, not confining the same for the petitioners of Criminal Miscellaneous No. 16142 of 2018.

3. Learned counsel for the informant-opposite party no. 2 appears before this Court today and submits that opposite party no. 2 is living along with the petitioner and there is no difference and acrimony between the petitioner and the opposite party no. 2.
4. Having heard learned counsel for the parties and taking into consideration the fact that the husband and wife have settled their disputes amicably and are living together and order taking cognizance has been quashed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 16142 of 2018, accordingly, the impugned order, dated 19.01.2018, passed in connection with Mehus Police Station Case No. 10 of 2017 is hereby quashed.



5. In the result this application is allowed.

(Anil Kumar Sinha, J)

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