

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62157 of 2021

Arising Out of PS. Case No.-121 Year-2019 Thana- MAHILA P.S. District- Patna

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1. SHYAM KUMAR Son of Late Sudisht Kumar Purbey Resident of Ambika Bhawan, Lallu Babu Ka Kuncha, P.s.- Patna City Chowk, District- Patna, Bihar.
 2. Asha Devi Wife of Late Sudisht Kumar Purbey Resident of Ambika Bhawan, Lallu Babu Ka Kuncha, P.S.- Patna City Chowk, District- Patna, Bihar
 3. Kajal Kumari D/o- Late Sudisht Kumar Purbey Resident of Ambika Bhawan, Lallu Babu Ka Kuncha, P.S.- Patna City Chowk, District- Patna, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Harsha Rani D/o Arun Kumar Resident of Bhagwat Nagar (90ft Road), Behind Fountain, NRL Petrol Pump, P.S.- Agam Kuan, District- Patna, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul
		Mr. Vikash Kumar Pankaj
For the Opposite Party/s :		Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

9 07-10-2024 1. Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the respondent no. 2.

2. The learned counsel appearing on behalf of the petitioner submits that the instant quashing application has been filed seeking quashing of the order dated 03.09.2021 passed by the learned Judicial Magistrate, 1st Class, Patna in G.R. No. 9235 of 2019 arising out of Patna City Mahila P.S. Case No. 121 of 2019 dated 08.11.2019 whereby cognizance of offences under Sections 498A and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.



3. At this stage, the learned counsel appearing on behalf of the respondent No. 2 submits that he has instructions not to oppose the quashing application as the dispute in between the petitioner and the respondent no. 2 has been resolved by way of one time settlement. It is also submitted that it has been agreed between the parties that parties will file an application before a Court of competent jurisdiction seeking divorce by mutual consent.

4. Since the dispute is matrimonial and the learned counsel appearing on behalf of the respondent no. 2 does not object the quashing application, as such, the order dated 03.09.2021 passed by the learned Judicial Magistrate, 1st Class, Patna in G.R. No. 9235 of 2019 arising out of Patna City Mahila P.S. Case No. 121 of 2019 dated 08.11.2019 whereby cognizance of offences under Sections 498A and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act, is hereby quashed.

5. Accordingly, the instant application is allowed.

(Satyavrat Verma, J)

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