

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69496 of 2022

Arising Out of PS. Case No.-91 Year-2015 Thana- CHAKIA District- East Champaran

Kunal Singh Son Of Arvind Kumar Singh R/O C/89 Chandralok Colony, P.S.-
Aliganj, Distt.- Lucknow (Uttar Pradesh)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Naini Gautam Wife Of Kunal Singh, D/O Mukul Singh R/O Sugar Mill
Quarter, Madhuban Road, P.S.- Chakiya, Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y C Verma, Sr. Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP
For the O.P. No. 2	:	Mr. Sanjiv Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

8 02-08-2024 Heard the parties.

2. The petitioner by invoking the inherent jurisdiction of this Court under Section 482 of the Cr.P.C. seeks quashing of the order dated 19.09.2022, passed by learned Additional Sessions Judge-XXI, East Champaran, Motihari in Sessions Trial No. 198 of 2019, arising out of Chakiya P.S. Case No. 91 of 2015, whereby, the learned Court has taken cognizance for the offences punishable under Sections 307 and 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. While the matter was pending consideration before this Court, the learned senior counsel on the instruction of the petitioner submitted before this Court that taking note of the fact



that the matter is arising out of a matrimonial dispute, both the parties are willing for one time settlement and towards which, the petitioner will pay an amount of Rs. 20 lakhs in two installments.

4. The learned Advocate for the O.P. No. 2 based on instructions also agreed and submitted that if the amount is paid within a period of six months; the O.P. No. 2 will not pursue the present case.

5. The matter has been finally settled and in view of the settlement, in order to honour the undertaking, the petitioner handed over a draft of Rs. 10 lakhs to the O.P. No. 2 on 19.01.2024 itself. The rest amount of Rs. 10 lakhs was to be paid by 10.06.2024. However, on account of summer vacation and other unavoidable reason, the same could not be handed over. Today, a demand draft bearing no. 758045, amounting to Rs. 10 lakhs has been placed before this Court in order to hand over the same to the O.P. No. 2 through her counsel. The demand draft has been handed over to the learned Advocate for the O.P. No. 2.

6. Learned Advocate for the O.P. No. 2 is directed to make acknowledgment of the receipt in the order sheet. The photo-copy of the demand draft has been kept on record.



7. Learned Advocate for the respective parties jointly contended that on account of the dispute, both the parties have filed case(s) and counter case(s) against each other. As the parties have settled their dispute amicably outside the Court on account of intervention of well wishers, both the parties do not want to pursue their litigations anymore.

8. Trite it is, the criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed, when the parties have resolved their entire disputes among themselves; and it warrants to secure the ends of justice or to prevent abuse of the process of any Court.

9. In view of the settlement and the undertaking before this Court, the continuance of the present proceeding appears to be an abuse of the process of the Court and the ends of justice requires interference.

10. Accordingly, the order dated 19.09.2022, passed by the learned Additional Sessions Judge-XXI, East Champaran, Motihari in Sessions Trial No. 198 of 2019 stands hereby quashed. Both the parties have submitted before this Court that they will file their respective affidavits, for



withdrawal of the cases filed against each other.

11. The present quashing application stands allowed.

(Harish Kumar, J)

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