

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73626 of 2023

Arising Out of PS. Case No.-2771 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

Dr. Gopal Saran S/O Late Krishna Saran Resident Of Lalzi Tola, Behind Cda
Building, Ps. Gandhi Maidan, Town And Dist. Patna

... .. Petitioner

Versus

1. The State of Bihar
2. Dr. Garima Sinha W/O Dr. Amar Nath Saran, D/O Sri Ashok Kumar Sinha
Resident Of Ias Colony, Bailey Road, Po. Danapur Cantt, Ps. Rupaspur,
Dist. Patna, Presently Residing At 'C' Block, Flat No. 2201, A.T.S.
Haciendas, Indrapuram, Gaziabad (U.P.)

... .. Opposite Parties

with

CRIMINAL MISCELLANEOUS No. 116 of 2024

Arising Out of PS. Case No.-2771 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

Dr. Amarnath Saran Son of Dr. Gopal Saran Resident of C 142 P.O. and P.S.
Greater kailash part I District South New Delhi

... .. Petitioner

Versus

1. The State of Bihar
2. Dr. Garima Sinha W/o Dr. Amar Nath Saran, D/o Sri Ashok Kumar sinha
R/o IAS Colony, Bailey Road, P.O. - Danapur Cantt, P.S. - Rupaspur, Distt. -
Patna, Presently Residing at C Block, Flat No. 2201, A.T.S. Haciendas,
Indrapuram, Gaziabad (U.P)

... .. Opposite Parties

Appearance :

(In CRIMINAL MISCELLANEOUS No. 73626 of 2023)

For the Petitioner : Mr. S.D. Sanjay, Sr. Advocate
Mrs. Priya Gupta, Advocate
Mr. Mohit Agrawal, Advocate

For the O.P. No.2 : Mr. Jitendra Singh, Sr. Advocate
Mr. Yash Singh, Advocate
Mr. Tej Pratap Singh, Advocate
Mr. Ishan Singh, Advocate

For the State : Mr. Jharkhandi Upadhyay, Advocate
(In CRIMINAL MISCELLANEOUS No. 116 of 2024)

For the Petitioner : Mr. S.D. Sanjay, Sr. Advocate
Mrs. Priya Gupta, Advocate
Mr. Mohit Agrawal, Advocate

For the OP No.2 : Mr. Jitendra Singh, Sr. Advocate
Mr. Yash Singh, Advocate
Mr. Tej Pratap Singh, Advocate
Mr. Ishan Singh, Advocate



For the State : Mr. Jharkhandi Upadhyay, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 13-08-2024 Heard Sri S.D. Sanjay, learned Senior Counsel assisted by Mr. Mohit Agrawal, learned counsel for the petitioners, Mr. Jitendra Singh, learned Senior Counsel for the opposite party no.2 and Mr. Jharkhandi Upadhyay, learned APP for the State.

2. In these cases, the petitioners are challenging the order dated 22.08.2023 passed by the learned Judicial Magistrate, 1st Class, Patna in Complaint Case No.2771 of 2023, by which the learned Magistrate has taken cognizance against the petitioners for the offences under sections 323, 498-A, 504/34 of the Indian Penal Code and under section 3/4 of the Dowry Prohibition Act.

3. It has jointly been submitted that both the parties have settled their dispute amicably and in this regard a settlement deed is also prepared, which is on record.

4. In view of the fact that both the parties have settled their dispute, this application is allowed.

5. Accordingly, the Complaint Case No. 2771 of 2023 and all consequential proceedings arising out of the aforesaid complaint case including the cognizance order dated



22.08.2023 are hereby quashed against all the accused persons.

6. It has been submitted by the parties that Matrimonial Case No.1085 of 2024 has been filed under section 13-B of the Hindu Marriage Act, which is pending before the learned Principal Judge, Family Court, Patna and they have jointly prayed that the Principal Judge, Family Court, Patna may be directed to expedite the matrimonial case.

7. Considering the settlement between the parties, the Principal Judge, Family Court, Patna is directed to expedite the Matrimonial Case No.1085 of 2024 and conclude the same as early as possible. If an application is filed by the parties for waiver of the mandatory period of six months between the first motion and the second motion, the same shall be considered by the Principal Judge, Family Court, Patna in accordance with law.

8. Let a copy of this order be communicated to the Principal Judge, Family Court, Patna through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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