

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1274 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Nalanda

RAJESH KUMAR Son of Late Rajendra Prasad Resident of Village - Saluganj, P.S.- Bihar , Distt.- Nalanda, State - Bihar, at Present resident of H.No. TP-28, Maurya Enclave, Pitam Pura, Sarswati Vihar North West Delhi, Delhi - 110034.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Poonam Kumari W/o Rajesh Kumar , D/o Late Rajendra Prasad at Present Resident of Village - Kathal Tola, P.S.- Sohsarai, Distt.- Nalanda, State - Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Niraj Kumar, Advocate
For the Respondent/s	:	Mr. Lalan Kumar, A.P.P.
For the O.P. No.2	:	Mr. Amit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 02-02-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. It is submitted by the learned advocate for the petitioner that the parties are in the process of settling the dispute by making one time payment of maintenance to the opposite party no.2/wife. It is also submitted that the petitioner has already paid a sum of Rs.40/- lacs and remaining amount of Rs.5/- lacs has to be paid as per the settlement and therefore, four week's time is required.

3. In any view of the matter, the revisional court cannot record settlement of a maintenance case being



Maintenance Case No.56(M) of 2013. Therefore, the order passed on 06.08.2019 in Maintenance Case No.56(M) of 2013 be kept in abeyance for a period of 30 days. In the meantime, the parties shall file compromise petition in the Trial Court and on filing of such compromise petition, the Trial Court shall recall the order passed in Maintenance Case No.56(M) of 2013 on full satisfaction.

4. With the above direction, the instant revision is disposed of.

5. If the parties failed to file the application for amicable settlement in the Trial Court within the specific date. The opposite party no.2 is at liberty to mention the matter for restoration.

6. The parties are directed to act on the server copy of the order.

(Bibek Chaudhuri, J)

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