

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9570 of 2024

Arising Out of PS. Case No.-45 Year-2022 Thana- PARASI District- Jehanabad

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1. Meena Devi @ Meena Singh, W/o Ramjee Singh, R/o village-Bahadurpur, P.S. - Parasi, Distt. - Arwal
 2. Ramjee Singh @ Ramji Kumar, S/o Late Ramkailash Singh, R/o village-Bahadurpur, P.S. - Parasi, Distt. - Arwal

... .. Petitioners

Versus

1. The State of Bihar
2. Poonam Kumari, W/o Kislay Kumar, R/o village-Bahadurpur, P.S.-Parasi, Distt. - Arwal

... .. Opposite Parties

Appearance :

For the Petitioners	:	Ms. Madhuri Kumari, Advocate
For the State	:	Mr. Navin Kumar Pandey, APP
For the O.P. No.2	:	Mr. Sanjeev Kumar, Advocate
		Mr. Priya Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL JUDGMENT

Date : 09-07-2025

The present quashing petition has been preferred under Section 482 of the Code of Criminal Procedure (in short 'CrPC') by the petitioners as to quash the cognizance order dated 19.08.2023 as passed by learned Judicial Magistrate-1st Class, Arwal with all its consequential proceedings arising out of Parasi P.S. Case No.45 of 2022, whereby the learned jurisdictional Magistrate has taken cognizance for the offences punishable under Sections 323, 504 and 498-A of the Indian Penal Code (in short 'IPC') against the petitioners and others.



2. The brief case of prosecution, as it transpires from the written information dated 17.05.2022 of informant/O.P. No.2 that her marriage was solemnized on 30.04.2021 with son of petitioner namely, Kislay Kumar. At the time of marriage, several gifts along with jewellery etc. worth Rs. 6 lakhs were given to petitioners whereafter, she joined her matrimonial home at village-Bahadurpur. After passing some time, the informant shifted to Madhya Pradesh with her husband, where her father-in-law was working with N.T.P.C. (now retired). It is alleged that after passing sometime, her in-laws and husband started to raise further demand of dowry for cash of Rs. 5 lakhs and when it was not fulfilled by her parents, she was subjected to mental and physical cruelty. It is further alleged that she was ousted from her matrimonial home due to non-fulfilment of aforesaid demand of dowry, whereafter, she came to Arwal and since then living with her parents.

3. Learned counsel appearing for the petitioners without exploring the avenue of merit available in favour of petitioners, who are in-laws, straightway submitted that the



matter appears compromised between informant/O.P. No.2 and her husband, namely, Kishlay Kumar. It is submitted that out of said compromise, permanent alimony was decided for Rs.13 lakhs out of which, Rs. 6.5 lakhs has already paid to O.P. No.2, whereas a bank draft of balance of Rs. 6.5 lakhs is drawn in favour of O.P. No.2 and petitioner is ready to hand over the same to O.P. No.2, before this Court itself.

4. It is submitted that in terms of compromise, the O.P. No.2 agreed as not to proceed against *ex-parte* decree of divorce granted to her husband namely, Kishlay Kumar by the court of Principal Judge, Family Court, District-Singrauli at Baidhan, Madhya Pradesh vide order dated 01.08.2023 passed in व्यवहार प्रकरण एच0 एम0 क. 82/2022, RCSHM-102 of 2022, CNR No.MP6602000313 of 2022.

5. In view of aforesaid submissions and honouring the compromise, the learned counsel appearing for petitioners, Ms. Madhuri Kumari hand over a bank draft of Rs.6.5 lakhs bearing no. 508998 dated 04.07.2025 drawn on Union Bank to O.P. No.2/informant, namely, Poonam Kumari in presence of her lawyer Mr. Priya Ranjan and same



is accepted by O.P. No.2. She also affirmed that as of now she received total amount of Rs.13 lakhs through bank drafts in terms of compromise as permanent alimony. She also stated and undertaken that she will not challenge the aforesaid *ex parte* order passed in favour of her husband, namely, Kishlay Kumar and accepted it as final.

6. The compromise, as discussed above, also approved by Mr. Priya Ranjan, learned counsel appearing for O.P. No.2.

7. Considering the aforesaid factual submissions, as son of petitioners, namely, Kishlay Kumar, who is husband of O.P. No.2 dissolved marriage with O.P. No.2, where permanent alimony of Rs.13 lakh has also paid to informant/O.P. No.2 through two different bank drafts, as discussed above, continuing with present proceeding would only amount to abuse of the process of court of law.

8. Accordingly, the cognizance order dated 19.08.2023 as passed by learned Judicial Magistrate-1st Class, Arwal *qua* accused persons namely, Kishlay Kumar (Kisay Kumar) including petitioner no.1, namely, Ramji



Kumar @ Ramji Singh and petitioner no.2, namely, Meena Devi is hereby quashed/set aside, with all its consequential proceedings.

9. The application stands allowed.

10. Let a copy of this judgment be communicated to the learned trial court forthwith.

(Chandra Shekhar Jha, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11-07-2025
Transmission Date	11-07-2025

