

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.88 of 2025

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

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Ravi Son of Ramlakhan Singh Resident of Village- Dandwan, P.S.- Uphara
(Goh), District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

Puja Kumari Wife of Ravi R/O Vill- Ghonghi, P.S.- Goh, District-
Aurangabad (Bihar)

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate
For the Respondent/s : Mrs. Leelawati Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

5 23-07-2025 The instant revision is directed against an order dated

29.11.2024 passed by the learned Principal Judge, Family Court,

Aurangabad, English translation of which is as follows:-

“On 29.11.2024- Both parties filed Haziri. A
settlement has been arrived at between both parties. The talk of
settlement is successful. The petitioner has stated that the
dispute between her and her husband was amicably settled. As
per the settlement, the opposite party/husband would pay
Rs.13,000/- per month towards maintenance allowance to the
petitioner/opposite party herein. The petitioner was willing to
withdraw the application under Section 125 of the Cr.P.C. on
condition that if the opposite party/petitioner herein fails to pay
maintenance allowance, the application under Section 125 of the



Cr.P.C. could be revived. Therefore, she prays for withdrawal of the application.

Statement of both the parties are recorded.

On the basis of the statement made by both the parties, petitioner is permitted to withdraw the application under Section 125 of the Cr.P.C. on the basis of settlement and the proceeding is stayed.

Record be consigned to the record room.

Sd./

Principal Judge”

2. It is submitted by the learned Advocate for the petitioner/husband that he did not give any consent for settlement of the dispute, without his consent the matter was settled.

3. In view of what has been recorded by the learned Principal Judge, this Court is not in a position to hold that the petitioner did not give consent to settled the dispute. Moreover, it is clearly stated that if the petitioner does not pay the maintenance amount, the application under Section 125 of the Cr.P.C. would be revived. Thus, the application under Section 125 of the Cr.P.C. has not been disposed of finally on full and final settlement by way of non-payment of maintenance allowance, the application under Section 125 of the Cr.P.C. can



be revived. If the petitioner wants to contest the case in the Trial Court, he is at liberty to revive the same and for this reason, no order of this Court is warranted.

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

(Bibek Chaudhuri, J)

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