

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25771 of 2019

Arising Out of PS. Case No.-2002 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. MUKESH KUMAR SINGH Son of Shri Shiopujan Singh Resident of Village - Baranathu, P.O.- Baranathu, P.S.- Rampur Chauram, Distt. Arwal, At Present New Atwarpur, P.O.- Kurthoul, P.s.- Parsa Bazar, Dist.- Patna.
 2. Shiopujan Singh Son of Late Rupchand Singh Resident of Village - Baranathu, P.O.- Baranathu, P.S.- Rampur Chauram, Distt. Arwal, At Present New Atwarpur, P.O.- Kurthoul, P.s.- Parsa Bazar, Dist.- Patna.
 3. Gayatri Devi Wife of Shiopujan Singh Resident of Village - Baranathu, P.O.- Baranathu, P.S.- Rampur Chauram, Distt. Arwal, At Present New Atwarpur, P.O.- Kurthoul, P.s.- Parsa Bazar, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Nootan Singh Wife of Mukesh Kumar Singh At Present Village - New Sabazpura, P.S.- Phulwari Sharif, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satya Prakash Singh, Adv Mr. Angad Singh
For the Opposite Party/s :		Mr. Zainul Abedin, APP Mr. Gajanand Mishra, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

20 25-07-2025 1. Heard learned counsel for the petitioners and learned APP for the State along with learned counsel appearing on behalf of the OP No. 2.

 2. Learned counsel appearing on behalf of the parties jointly submitted that the dispute is matrimonial and the parties have compromised and the petitioners have paid an amount of Rs. 6.5 lakh by way of one time settlement to the OP No. 2 and thereafter a divorce case being Divorce Case No. 551 of 2025



has been filed in the court of learned Principal Judge, Family Court, Patna, seeking divorce by mutual consent.

3. The learned counsel appearing on behalf of the OP No. 2 submits that OP No. 2 does not have any objection in the event if the instant quashing application is allowed, but then submits that from side of the petitioners also a Complaint Case No. 2623C of 2018 has been filed against the OP No. 2 and her family members in which cognizance has been taken under Section 323, 379, 504 and 34 of the IPC by an order dated 29-10-2018 passed by the learned Judicial Magistrate, 1st Class, Patna.

4. Learned counsel appearing on behalf of the petitioners submits that he has instruction to make submission that petitioners will have no objection in the event if Complaint Case No. 2623C of 2018, in which cognizance has been taken under Section 323, 379, 504 and 34 of the IPC by an order dated 29-10-2018 pending in the court of Ms. Anuradha, learned Judicial Magistrate, 1st Class Patna, is quashed.

5. Since the dispute is matrimonial and the parties have compromised and divorce by mutual consent has been filed, as such the order dated 26-2-2019 in Complaint Case No. 2002(c) of 2018 passed by the learned Sub-Divisional Judicial



Magistrate, Patna, whereby cognizance has been taken under Section 498A of the IPC read with Section 4 of the Dowry Prohibition Act along with order dated 29-10-2018 in Complaint Case No. 2623C of 2018 passed by the learned Judicial Magistrate, 1st Class, Patna, whereby cognizance under section 323, 379, 504 and 34 of the IPC has been taken, are hereby quashed.

6. Let a copy of this order be sent to the court of Ms. Anuradha, learned Judicial Magistrate, 1st Class Patna.

(Satyavrat Verma, J)

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