

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22311 of 2025

Arising Out of PS. Case No.-309 Year-2024 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Rupam Singh Wife Of Ajit Kumar @ Ajit Kumar Singh Resident Of Of Birkuwar Singh Path, Nahaza Chouk, Ps-Dumra, District-Sitamarhi
 2. Rashmi Singh D/O- Ajit Kumar @ Ajit Kumar Singh Resident Of Of Birkuwar Singh Path, Nahaza Chouk, Ps-Dumra, District-Sitamarhi
 3. Ankit Kumar Son Of Ajit Kumar @ Ajit Kumar Singh Resident Of Of Birkuwar Singh Path, Nahaza Chouk, Ps-Dumra, District-Sitamarhi
 4. Ajit Kumar @ Ajit Kumar Singh Son Of Late Chandrika Singh Resident Of Of Birkuwar Singh Path, Nahaza Chouk, Ps-Dumra, District-Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vijay Kumar Singh Son Of Mahavir Singh Resident Of Village- Bhakurahiya, P.S.- Patahi, Distt.- East Champaran

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 41902 of 2023

Arising Out of PS. Case No.-1917 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Ajit Kumar @ Ajeet Kumar @ Ajit Kumar Singh S/O Late Chandrika Singh R/O Birkuwar Singh Path Nahara Chowk, Police Station- Dumra, Distt.- Sitamarhi.
 2. Rupam Singh W/O Ajit Kumar @ Ajeet Kumar @ Ajit Kumar Singh R/O Birkuwar Singh Path Nahara Chowk, Police Station- Dumra, Distt.- Sitamarhi.
 3. Pankaj Kumar @ Pankaj Kumar Singh S/O Late Kailash Singh R/O Birkuwar Singh Path Nahara Chowk, Police Station- Dumra, Distt.- Sitamarhi.
 4. Punam Kumari @ Poonam Devi @ Punam Singh W/O Jitendra Singh R/O Mahabir Chowk, Transport Nagar, Police Station- Piprauli, Distt.- Gorakhpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Namrata Singh W/O Ankit Kumar, D/O Vijay Kumar R/O Village- Bhakurahiya, P.S- Patahi, Distt.- East Champaran.



... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 29945 of 2024

Arising Out of PS. Case No.-955 Year-2022 Thana- SITAMARHI District- Sitamarhi

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Ankit Kumar S/O Vijay Kumar Singh R/O Village - Bhakurahiya, P.S. - Patahi, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rashmi Kumari D/o Ajeet Kumar Singh R/o Mohalla - Veer Kunwar Singh Path, Naahar Chowk, P.S.- Sitamarhi, Distt. - Sitamarhi

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 30546 of 2024

Arising Out of PS. Case No.-946 Year-2022 Thana- SITAMARHI District- Sitamarhi

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1. Ankit Kumar Son Of Vijay Kumar Singh Resident Of Village - Bhakurahiya, P.S. - Patahi, District - East Champaran
2. Rakesh Singh Son Of Doon Bahadur Singh Resident Of Village - Bhakurahiya, P.S. - Patahi, District - East Champaran
3. Vijay Kumar Singh Son Of Late Mahavir Singh Resident Of Village - Bhakurahiya, P.S. - Patahi, District - East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ajit Kumar Singh Son Of Late Chandrika Singh Resident Of Veer Kunwar Singh Path, Naahar Chowk, P.S. - Sitamarhi, District - Sitamarhi

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 22311 of 2025)

For the Petitioner/s : Mr. Sunil Prasad Singh, Adv.

For the Opposite Party/s : Mr .Dilip Kumar No. 1, APP

(In CRIMINAL MISCELLANEOUS No. 41902 of 2023)

For the Petitioner/s : Mr. Sunil Prasad Singh, Adv.

For the Opposite Party/s : Mr. Anil Kr. Singh No. 1, APP

Mr. Madhurendra Kumar, Adv.

(In CRIMINAL MISCELLANEOUS No. 29945 of 2024)

For the Petitioner/s : Mr. Madhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Abhay Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 30546 of 2024)



For the Petitioner/s : Mr. Madhurendra Kumar
For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL JUDGMENT
Date : 27-06-2025

CR. MISC. No.22311 of 2025

1. Heard learned counsel appearing on behalf of the parties.

2. The present petition is being filed on behalf of the petitioners for quashing of cognizance order dated 30.05.2024 passed in Complaint Case No. 309 of 2024 by learned J.M. 1st Class, Motihari at East Champaran whereby and whereunder the learned J.M. 1st Class has been pleased to take cognizance for offence punishable under section 498A of the Indian penal code.

3. At the outset, it is pointed out by learned counsel for the petitioner that in para no. 6 of the order dated 13.05.2025 at the fifth line Rs. 5,00,000/- was mentioned inadvertently in place of Rs. 7,50,000/-. The order dated 13.05.2025 be read with aforesaid corrections.

4. As per the case of prosecution the daughter of the complainant/ O.P. No. 2 namely, Namrata Singh married with petitioner no. 3 namely, Ankit Kumar on 10.02.2022



whereafter petitioners collectively raised demand of dowry and due to non-fulfillment of the same daughter of the complainant/ O.P. No. 2 was tortured physically and mentally. A demand for four wheeler car was also raised from complainant. It is also alleged that the daughter of the complainant became pregnant and was aborted forcibly against her will by petitioner no. 3 and her family members, whereafter she was forcibly ousted from her matrimonial, whereafter present case was lodged.

5. It is submitted by learned counsel appearing for the petitioner that the daughter of the complainant left the house of the petitioners just after 28 days of her marriage with petitioner no. 3. It is pointed out that the behavior of the daughter of the complainant was doubtful from very beginning and therefore apprehending false implication an informatory petition under Section 39 of Cr.P.C. was filed before the learned CJM, Sitamarhi bearing no. 526 of 2022 on 20.06.2022, before lodging present case. It is also pointed out that one Rakesh Singh, who is brother of the complainant and also the witness of the present complaint case,



threatened to kill petitioner no. 4, whereafter petitioner no. 4 lodged a FIR bearing Sitamarhi P.S. Case No. 946 of 2022 dated 28.11.2022 against the brother of the complainant. It is further submitted that the daughter of the complainant namely, Namrata Singh herself lodged a case in year 2022 which was registered as Complaint Case No. 1917 of 2022, which is still pending before the learned court below whereafter the present complaint case almost with same allegations and for same occurrence was filed by father of Namrata Singh namely, Vijay Kumar who is O.P. No. 2 of the present quashing petition. It is pointed out that petitioner no. 1 is mother-in-law, petitioner no. 2 is sister-in-law, petitioner no. 3 is the husband and petitioner no. 4 is father-in-law of the victim.

6. Leaving further argument on merit, it is straightaway submitted that now matter amicably compromised between the parties, and in pursuant thereof a joint compromise petition dated 27.06.2025 was filed on affidavit before this Court. It is submitted that now the daughter of the complainant/ O.P. No. 2 namely, Namrata



singh and petitioner no. 3 who is the husband amicably resolved their dispute and decided to dissolve their marriage by way of their mutual consent against permanent alimony of Rs. 20,00,000 (Rupees Twenty lakhs) out of which petitioner no. 3 decided to pay Rs. 5,00,000/- (Rupees Five lakhs) to daughter of the O.P. No. 2 at the time of quashing of criminal cases including present criminal case and Rs. 7,50,000/- (Rupees Seven Lakh Fifty Thousand) at the time of first motion of divorce and rest of Rs. 7,50,000/- (Rupees Seven Lakh Fifty Thousand) at the time of second motion. Parties also agreed upon to quash all criminal cases as filed against each others. Acting upon compromise, the petitioner no. 3 handover the demand draft of Rs. 5,00,000/- (Rupees Five lakhs) drawn at Axis Bank Ltd, Sitamarhi, Patna to O.P. No. 2 namely Namrata Singh who is present before the Court and received the draft in presence of her lawyer. She also affirmed the compromise and stated that she has no objection to quash all criminal cases including present case as filed by her against petitioners.

7. The petitioner no. 3 also stated that he has also



no objection that all the cases lodged against O.P. No. 2 and against his daughter if quashed by this Court to secure the ends of justice and to prevent abuse of the process of court of law.

8. Without making any comments on merits, as parties resolved their disputes and differences amicably as discussed aforesaid continuing of present criminal proceedings would only amount to abuse of process of Court of law.

9. Accordingly, the present impugned order of cognizance dated 30.05.2024 with all its consequential proceedings *qua* all above named petitioners is hereby quashed/set aside.

9. Accordingly, present quashing petition stands allowed.

10. Beside aforesaid, to secure the ends of justice and also as consented by parties, in view of compromise as discussed aforesaid, the Domestic Violence Case No. 14 of 2023 which is pending before the court of learned J.M. 1st Class, Motihari as lodged by Namrata Singh wife of Ankit



Kumar son of Ajit Kumar @ Ajit Kumar Singh and also the Maintenance Case No. 271 of 2022 as lodged by Namrata Singh against Ankit Kumar son of Ajit Kumar @ Ajit Kumar Singh pending before the learned Principal Judge, Family Court, East Champaran at Motihari under Section 125 of the IPC are hereby quashed / set aside with all its consequential proceedings, if any, as to secure the ends of justice and also to prevent abuse of the process of court of law.

11. It also transpires that Divorce Case No. 533 of 2024 which is pending between Namrata Singh daughter of Vijay Kumar and Ankit Kumar son of Ajit Kumar @ Ajit Kumar Singh before the court of learned Principal Judge, Family Court, East Champaran, Motihari, in view of the compromise as discussed aforesaid, the parties are directed to take necessary steps to convert the pending petition into the petition of 13B of Hindu Marriage Act, 1955 or if conversion is not possible for any reasons, they may file fresh petitions under 13B of Hindu Marriage Act, 1955 preferably within three weeks of communication of this order, where petitioner no. 3 namely Ankit Kumar, son of Ajit Kumar @ Ajit Kumar is



directed to pay Rs. 7,50,000/- (Rupees Seven Lakh Fifty Thousand) at the time of first motion and balance of Rs. 7,50,000/- (Rupees Seven Lakh Fifty Thousand) at the time of second motion to Namrata Singh in terms of compromise.

12. Learned Principal Judge, Family Court, East Champaran at Motihari is directed to conclude the petition of mutual divorce as preferred by the parties at its earliest in accordance with law.

13. Accordingly, the petition stands allowed.

14. Let copy of this judgment be sent to learned trial court forthwith.

CR. MISC. No. 41902 of 2023

1. In view of compromise and detailed order as discussed in Cr. Misc. No. 22311 of 2025, the present quashing petition stands allowed and the cognizance order dated 15.09.2022 passed in Complaint Case No. 1917 of 2022 (Inq. No. 128 of 2022) passed by Mr. Ravi Ranjan Kumar, learned J.M. 1st Class, Motihari at East Champaran is hereby quashed / set aside with all its consequential proceedings against accused persons including petitioners.



2. The petition stands allowed.

3. Let copy of this judgment be sent to learned trial court forthwith.

CR. MISC. No. 29945 of 2024

1. In view of compromise as arrived between the parties in Cr. Misc. No. 22311 of 2025, the present FIR as lodged against petitioner bearing Sitamarhi (Mehsaui) P.S. Case No. 955 of 2022 registered under Section 354 (B) of the I.P.C. and Section 67 of the I.T. Act, on the instance of the informant / O.P. No. 2 namely by Rashmi Kumari is hereby quashed/ set aside *qua* accused persons including petitioner with all its consequential proceedings, if any.

2. The petition stands allowed.

3. Let copy of this judgment be sent to learned trial court forthwith.

CR. MISC. No. 30546 of 2024

1. In view of detailed order as passed in furtherance of compromise as discussed in Cr. Misc. No. 22311 of 2025, the present FIR as lodged by O.P. No. 2 namely Ajit Kumar Singh bearing Sitamarhi (Mehsaui) P.S.



Case No. 946 of 2022 for the offences punishable under Sections 341, 323, 504, 506, 34 of the I.P.C., is hereby quashed/ set aside *qua* all accused persons including petitioners with all its consequential proceedings, if any.

2. The petition stands allowed.

3. Let copy of this judgment be sent to learned trial court forthwith.

(Chandra Shekhar Jha, J)

Sudha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.06.2025
Transmission Date	30.06.2025

