

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1427 of 2023

In
CRIMINAL MISCELLANEOUS No.15260 of 2021

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Smt. Sinki Soni W/o Shri Diwakar Prasad, D/o Shri Rajkumar Prasad, At
Present address - C/o Ramji Prasad Jewellers, Main Road, Motihari, District-
East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Diwakar Prasad @ Diwakar Kumar Prasad, Son of Dilip Prasad, Resident of
Glass India, H.No.10, B.R. Phukan Road, P.S. Kunarpure, District- Kamrup
(Metro) Guwahati, Assam.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Advocate Mr. Anuj Kumar, Advocate
For the State	:	Mr. Manish Kumar, GP-4 Mr. Sanjay Parasmani, AC to GP-4
For the O.P. No. 2	:	Mr. Ravindra Kumar Shukla

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

9 07-11-2025 1. Heard learned Senior Counsel for the petitioner,

learned AC to GP-4 for the State and Mr. Ravindra Kumar

Shukla, learned counsel appearing on behalf of the opposite

party no. 2.

2. Learned Senior Counsel appearing on behalf of the

petitioner submits that the instant contempt application has been

filed for initiating a proceeding of contempt against the opposite

party no. 2 for deliberate violation of the order dated 07.07.2022

in Cr. Misc. No. 15260 of 2021. It is further submitted that

petitioner and the opposite party no. 2 are husband and wife, as

such, the dispute is matrimonial. It is next submitted that parties



have reached an amicable settlement, as such, the petitioner is not willing to pursue the cases filed by her against the opposite party no. 2 being Complaint Case No. 2189 of 2018 (T.R. No. 2363 of 2019) in which cognizance has been taken under Section 498(A) of the Indian Penal Code as well as Sections 3 and 4 of the Dowry Prohibition Act and is pending adjudication in the Court of learned 21-S.D.J.M., Sadar Motihari, East Champaran, Motihari (Town) P.S. Case No. 721 of 2020 registered under Sections 406, 420, 468, 471 and 34 of the Indian Penal Code and is pending in the Court of learned Chief Judicial Magistrate, Motihari, East Champaran and Maintenance Case No. 455 of 2018 instituted under Section 125 of the Cr.P.C. which presently is pending in the Court of learned Principal Judge, Family Court, Motihari, East Champaran.

3. Learned Senior Counsel appearing on behalf of the petitioner submits that opposite party no. 2 herein has also filed Complaint Case No. 36(C) of 2023 under Sections 494, 506, 354, 342 and 34 of the Indian Penal Code in the Court of learned J.M.F.C.-2, Guwahati.

4. Learned counsel appearing on behalf of the opposite party no. 2 submits that in C.R. Case No. 36 of 2023, the petitioner stands acquitted based on compromise as would



manifest from order dated 14.08.2025 (Annexure R/A to the supplementary affidavit) filed on behalf of the opposite party no. 2. It is further submitted that petitioner till date has not withdrawn the criminal cases filed by her against the opposite party no. 2 on which learned Senior Counsel submits that he has instruction on behalf of the petitioner to make a specific submission that petitioner will have no objection in the event the aforesaid three criminal cases filed by her is quashed in the instant proceeding.

5. After hearing the learned counsel for the parties and keeping the fact in mind that the dispute is matrimonial and parties have reached an amicable settlement, as such, based on the submission made by the learned Senior Counsel appearing on behalf of the petitioner, Complaint Case No. 2189 of 2018 (T.R. No. 2363 of 2019) pending in the Court of learned 21-S.D.J.M., Sadar Motihari, East Champaran, Motihari (Town) P.S. Case No. 721 of 2020 pending in the Court of learned Chief Judicial Magistrate, Motihari, East Champaran and Maintenance Case No. 455 of 2018 pending in the Court of learned Principal Judge, Family Court, Motihari, East Champaran are hereby quashed.

6. Learned counsel for the parties at this stage submits



that the parties had filed Matrimonial Case No. 150 of 2022 under Section 13B(1) of the Hindu Marriage Act seeking divorce by mutual consent which is pending in the Court of learned Additional Principal Judge, Family Court, Patna Sadar.

7. It is submitted that the parties will ensure that the case is decided expeditiously.

8. Hence, the contempt application is disposed of.

(Satyavrat Verma, J)

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