

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39673 of 2024

Arising Out of PS. Case No.-823 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Ajay Kumar Sharma, Son of Late Rambriksh Choudhary, R/o- Chaturi Punash, P.S- Ahiyapur , Dist- Muzaffarpur
 2. Asha Devi W/o- Ajay Kumar Sharma R/o- Chaturi Punash, P.S- Ahiyapur , Dist- Muzaffarpur
 3. Ajeet Sharma @ Ajeet Kumar @ Monu, Son of Ajay Kumar Sharma R/o- Chaturi Punash, P.S- Ahiyapur , Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mona Kumari D/o- Sita Ram Prasad Singh, W/o Ajeet Sharma @ Monu R/o- Chaturi Punash, P.S- Ahiyapur , Dist- Muzaffarpur P/A Vill- Bhetgaon, P.S- Barh Dist - Patna

... .. Opposite Party/s

Appearance :

For O.P. No.2	:	Mr. Shrinandan Prasad Singh, Sr. Advocate. Mr. Kumar Sameer, Advocate.
For the Petitioner/s	:	Mr. Suraj Kumar Tiwari, Advocate.
For the State	:	Mr. Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 07-10-2025 Heard Mr. Suraj Kumar Tiwari, learned counsel appearing on behalf of the petitioners, Mr. Ajit Kumar, learned APP for the State and Mr. Shrinandan Prasad Singh, learned senior counsel along with Mr. Kumar Sameer, learned counsel for the opposite party no.2.

2. The present application has been filed under Section 482 of the Cr.P.C. for quashing of the order dated 30.01.2024, whereby learned SDJM, Barh, Patna created a case



under Section 498A of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act in connection with Complaint Case No.823(C) of 2023 filed for the alleged offences under Sections 323, 324, 295A, 406, 420, 384, 498A, 504 and 411 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

3. Mr. Shrinandan Prasad Singh, learned senior counsel along with Mr. Kumar Sameer, learned counsel appearing on behalf of the opposite party no.2, at the outset, informs that the parties have settled their dispute by way of mediation on certain terms and conditions which have been drawn on 14.11.2024 and the agreement between the parties who are the husband and wife and the witnesses has been reduced in writing. In that view, till the petitioners fulfill the terms and conditions of the agreement, no interference is required with the impugned order dated 30.01.2024 passed by the learned Sub Divisional Judicial Magistrate, Barh, Patna.

4. *Per contra*, Mr. Suraj Kumar Tiwari, learned counsel appearing on behalf of the petitioners upon instruction of the petitioners informs that the petitioners are bound by the terms and conditions of the agreement which has been entered into with the opposite party no.2. The petitioners cannot breach



any terms and condition. The petitioner no.3 who is the husband of the opposite party no.2 has already filed a divorce case being Divorce Case No. 300 of 2025 under Section 13B of the Hindu Marriage Act, 1955 for dissolution of marriage on mutual consent and he has also made payment of Rs. 12 lacs out of total Rs. 22 lacs and as per the agreement, he is ready to make payment of rest Rs. 10 lacs on or before the next date of hearing of the Divorce Case No. 300 of 2025 pending before the learned Principal Judge, Family Court, Patna.

5. In view of the aforesaid submissions of the parties, no purpose will be served to keep the present quashing application pending before this Court.

6. A xerox copy of the agreement dated 14.11.2024 is kept on the record.

7. Both the parties are directed to appear before the learned District Court on 11.11.2025 at 10:30 AM.

8. Learned District Court is directed to take necessary steps to refer the matter before the learned Mediator of the District Mediation Center.

9. Learned Mediator of the District Mediation Center concerned shall make his/her best efforts to settle the dispute amicably and thereafter submit his/her report before the



concerned learned District Court, well within a period of four months, till then, no coercive action shall be taken against the petitioners in connection with the aforesaid case.

10. In case of failure on the part of the petitioners to appear on 11.11.2025 before the learned District Court or any date fixed by the learned Mediator, the interim protection granted to the petitioners shall automatically lose its force.

11. In case, the parties fail to reconcile, then in that case, the learned District Court shall proceed with the trial.

12. In case, the parties resolve their dispute amicably, then the proceeding is required to be dropped.

13. Accordingly, the present quashing application stands disposed of.

(Purnendu Singh, J)

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