

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL REVISION No.678 of 2017**

Arising Out of PS. Case No.-819 Year-2005 Thana- PATNA COMPLAINT CASE District-  
Patna

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Abhay Ranjan Sinha Son of Late Sachindra Kr. Sinha, R/o Jamaluddin Chak,  
Near Loco Colony, Khagaul, P.S.- Khagaul, District- Patna.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Archana Devi, W/o Sri Abhay Ranjan Sinha, D/o Late Jagdish Chauhan,  
Resident of Moti Chowk, Near A.B. Niketan School, Khagaul, Post and  
Police Station- Khagaul, District- Patna.

... .. Respondent/s

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**Appearance :**

|                      |   |                           |
|----------------------|---|---------------------------|
| For the Petitioner/s | : | Mr. Manisha Singh, Adv.   |
| For the Respondent/s | : | Mr. Navin Kr. Pandey, APP |
| For the Informant    | : | Mr. Raj Shekhar, Adv.     |
|                      |   | Mr. Kaushal Kumar, Adv.   |

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL JUDGMENT**  
**Date : 01-05-2025**

Heard learned counsel appearing on behalf of  
  
the parties.

**2.** This revision application is directed against  
  
the judgment and order dated 24.04.2017 as passed in  
  
Criminal Appeal No. 05 of 2014 by learned Additional  
  
Sessions Judge-VI, Danapur, Patna arising out of  
  
Complaint Case No. 819 of 2005, Trial No. 969 of 2013,  
  
whereby and whereunder the learned appellate court  
  
upheld conviction and sentence of revisionist, under



Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, as passed by learned Sub-Divisional Judicial Magistrate, Danapur, Patna vide order dated 06.12.2013, in Complaint case No. 819 of 2005 and further appellate court has canceled the bail bond and directed the revisionist/petitioner to surrender before the learned trial court to serve out the remaining sentences, upon conviction for offences, punishable under section 498A of the Indian Penal Code and section 4 of the Dowry Prohibition Act and ordered to undergo R.I. of two years and six months and also to pay fine of Rs. 5000/- and Rs. 2000/- where in default of payment of fine, petitioner was ordered to undergo further, simple imprisonment for two months and one month respectively.

**3.** As per the case of prosecution, the marriage between O.P. No. 2 and petitioner was solemnized on 07.04.2004 in accordance with the provisions of Special Marriage Act, 1954, before the Marriage Registrar,



Danapur. After the said marriage, both parties started living together as husband and wife but after sometime the husband/petitioner and in-laws of O.P. No. 2 started torturing and harassing her for dowry and refused to accept her as their daughter-in-law. The O.P. No. 2 further stated that on 26.04.2005 she came with her husband from Rajasthan to Danapur for going to her matrimonial home but her husband left her alone at Danapur Station. On 17.07.2005 all the accused persons came to her parental home and demanded Rs. 1,00,000/- as dowry. Then O.P. No. 2 filed a complaint case to the aforesaid effect on 04.10.2005 in the court of the learned A.C.J.M., Danapur, who made over the same under section 192(2) Cr.P.C. to the Court of the learned SDJM, Danapur for trial.

**4.** Without going into the details of the case, it would be suffice to state here that the learned counsels appearing for the petitioner and the opposite party no. 2 have appear before the Patna High Court Mediation



Center and finalized the terms of compromise. Accordingly, parties appeared and disputes were resolved and compromise was arrived at, for which a settlement deed was prepared and signed by both the parties and their respective advocate against one time full and final settlement amount of Rs. 16,00,000/- (Sixteen Lakh Only).

**5.** It would be relevant to reproduce **point no. "x"** of Mediation Proceeding No. 98 of 2025 dated 04.02.2025 at Patna High Court Mediation Center :-

*“(i) Rs.2,00,000/- (Rupees Two Lakhs only) has already been paid to the Respondent (wife) bearing Demand Draft No.630993, dated 22.10.2024. At the time of arriving to settle the dispute by way of full and final settlement between the parties.*

*(ii) Rs.7,00,000/- (Rupees Seven Lakh only) will be paid by way of Cheque No.670554 of State Bank of India, Motichowk, Khagaul, Patna Branch, in favor of Respondent(wife) and will be handed over to the Respondent at the time of hearing of Miscellaneous Appeal No.173 of 2018 on 18.02.2024.*



*(iii) Remaining Rs.7,00,000 (Rupees Seven lakhs only) will be paid by 07th of March, 2025 vide cheque No.670555 of State Bank of India, Moti Chowk, Khagaul, Patna.*

*(iv) The Respondent (wife)/2nd party has agreed and undertakes to withdraw all the pending cases filed by her on the Appellant/1st party (husband) by filing withdrawal application/petitions in each of the pending cases either Civil/Criminal or of any other complaint filed by the Respondent (wife) before 18.02.2025.*

**6.** At this juncture, it is submitted by the learned counsel for the parties that the order and judgment dated 24.04.2017 be quashed/ set aside to secure the ends of justice, in view of the compromise.

**7.** Learned counsel for the petitioner further submits that though offence is not compoundable in view of Section 320 of the Code of Criminal Procedure (hereinafter referred to as the “Code”) but in several decisions, the Hon’ble Apex Court as well as the different High Courts including Hon’ble Patna High Court have held that in cases of matrimonial disputes where the dispute



gets settled between both the sides, all the criminal proceedings even after conviction at the revisional or appellate stage, may be set aside in the interest of justice. Learned counsel has placed reliance on the case of ***B.S.Joshi & Anr. vs. State of Haryana & Anr.*** reported in ***(2003) 4 SCC 675*** and in the case of ***Wasi Asgar & Ors. vs. The State of Jharkhand & Anr*** passed in ***Cr. Revision No. 239 of 2015 on 15.07.2015.***

8. Learned counsel for O.P. No. 2 also supported the submission as advanced by learned counsel for petitioner that the parties resolved their dispute and differences, amicably.

9. In view of aforesaid factual and legal submissions as parties resolved their disputes and differences amicably, against the permanent alimony of Rs. 16,00,000/- ( Sixteen Lakh Only), accordingly, by taking a guiding legal note of ***B.S.Joshi case (supra)***, judgment of conviction and order of sentence dated



24.04.2017 as passed in Criminal Appeal No. 05 of 2014 by learned Additional Sessions Judge-VI, Danapur, Patna, which preferred against the judgment dated 06.12.2013 arising out of Complaint Case No. 819 of 2005, Trial No. 969 of 2013 is hereby quashed/set aside *qua* revisionist/petitioner.

**10.** Fine, if any paid, be returned to the revisionist, immediately.

**11.** Parties are directed to abide their own terms and condition of compromise as discussed above.

**12.** The Criminal Revision Petition stands allowed.

(Chandra Shekhar Jha, J)

Sudha/-

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|-------------------|------------|
| AFR/NAFR          | NAFR       |
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