

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73065 of 2023

Arising Out of PS. Case No.-444 Year-2020 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Vishal Shah, Son of Binay Kumar Shah, R/o 64/65, Shri Arobindo Road, Salkia, Howrah, Rakhee Cinema Complex, 2nd Floor, P.S.-Golabadi, District-Howrah, West Bengal-711106, At Present Residing At 816 W Royal Ln., P.S. and District- Irving Texas 75039, USA

... .. Petitioner/s

Versus

1. The State of Bihar
2. Monalisha Gupta, Wife of Vishal Shah, R/o 64/65, Shri Arobindo Road, Salkia, Howrah Rakhee Cinema Complex, 2nd Floor, P.S.- Golabadi, District- Howrah, West Bengal-711106

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Anjani Kumar Jha, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP
For the O.P. No.2	:	Mr. Vishal Vikram Rana, Advocate
		Ms. Misha Bharti, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 21-03-2025 It is submitted by learned counsel appearing for the petitioner that in view of the judgment of Hon'ble Supreme Court as passed in SLP (Crl.) No.4297 of 2023 dated 20th February, 2025, the present petition has become infructuous. Therefore, the same be permitted to be withdrawn.

2. The aforesaid submission has also approved by learned counsel appearing for O.P. No.2.

3. A copy of the aforesaid judgment of Hon'ble Supreme Court has been supplied by learned counsel



appearing for petitioner, wherein the Hon'ble Supreme Court
observed in para 47 as under:-

“47. Resultantly, we conclude as below: -

a. The judgments/orders dated 15th September, 2022 passed by the learned Judicial Magistrate, Howrah and 25th January, 2023 passed by the High Court are quashed and set aside.

b. The application filed by the appellant-husband, under Article 142(1) of the Constitution of India, is allowed and the marriage between the appellant and the respondent is dissolved on the ground of irretrievable breakdown of marriage. The Registry to draw a decree accordingly.

c. Consequently, all the criminal cases/DV Act complaints and civil cases pending between the respondent and the appellant and his family members shall stand closed.

d. The appellant shall deposit a sum of Rs.25,00,000/- (Rupees Twenty-Five Lakhs only) in the Registry of this Court as the amount of permanent alimony payable to the respondent within two months from today. This amount shall be disbursed to the respondent within a period of two weeks thereafter. An undertaking to that effect shall be filed before this Court within two weeks from today. We also make it clear that if the respondent refuses to accept the aforesaid amount



and fails to draw the same from the Registry within the aforesaid period, the same shall be repaid to the appellant.

e. The passport of the appellant shall be released by the authorities concerned within a period of one week from today.”

4. In view of aforesaid and by taking note of submissions as advanced by learned counsel appearing for petitioner, the present petition stands dismissed being infructuous.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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