

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.74820 of 2024**

Arising Out of PS. Case No.-775 Year-2022 Thana- SIWAN COMPLAINT CASE District-  
Siwan

- 
1. Munni Gupta, Wife of Hridya Nand Gupta,
  2. Hirdya Nand Gupta @ Hridyanand Gupta, Son of Late Chandar Gupta @  
Late Subhash Gupta,
- Both are resident of Village-Kehuniya, P.O.- Pakari, P.S.-Deoria, District-  
Deoria, U.P. At Present Resident of Village-Dad, House No.-103, Nirmal  
Enclave Basant City, Pakhowal Road, P.S.-Ludhiana, District-Ludhiana  
Punjab, 142022

... .. Petitioners

Versus

1. The State of Bihar
2. Anisha @ Anisha Devi, D/o Sri Awadh Kishore Gupta, W/o Abhijeet Gupta  
Resident of Village-Farchhua, P.O.-Vishnupura, P.S.-Mairwa, District-  
Siwan, And also Present Resident- A 118, Aajad Nagar Mujesr, Sector-24  
PIN Code -121005.

... .. Opposite Parties

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**Appearance :**

|                          |   |                                                               |
|--------------------------|---|---------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Akshay Lal Pandit, Advocate<br>Mr. Arvind Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Ahmad Ali, APP                                            |
| For the O.P. No.2        | : | Mr. Ashok Kumar, Advocate                                     |

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA  
ORAL JUDGMENT**

**Date : 20-06-2025**

Heard learned counsel for the petitioners and  
learned counsel appearing for O.P. No.2.

2. The present application has been filed for



quashing of the cognizance order dated 07.08.2024 passed by learned S.D.J.M., Siwan in Complaint Case No.775 of 2022, whereby the learned Jurisdictional Magistrate has taken cognizance of the offences punishable under Sections 498-A read with 34 of the Indian Penal Code (in short 'IPC') as well as Sections 3 and 4 of the Dowry Prohibition Act against the petitioners and others.

3. The case of prosecution is based on the written complaint of complainant/O.P. No.2, namely, Anisha @ Anisha Devi through which it was alleged and stated that she got married according to Hindu customs on 04.02.2020 with accused Abhijeet Gupta in village-Farachhua, P.S.-Mairwa, District-Siwan in presence of well-wishers of both sides. It is further alleged that father of the complainant/O.P. No. 2 spent Rs. 12 Lakhs in cash and more than Rs. 3 Lakh as gifts on the occasion of marriage. From very first day of the marriage, the petitioners/accused despite of receiving several gifts, started grumbling that their wealth was worth crores and the parents of complainant had not given the dowry. Due to this issue, the rituals were halted for some time but, after



persuasion of the well-wishers and relatives, the marriage was completed. Thereafter, the complainant went to her in-laws house in village-Kehuniya, Dist.-Deoria (U.P.) and then, on 08.02.2020, the complainant went to Ludhiana with accused person, where the complainant being harassed for demand of dowry. It is further alleged that her husband, father-in-law and *Nanad* mercilessly assaulted her and stopped to provide meal. She endured everything for the sake of the newborn baby. It is further alleged that the O.P. No.2 was subjected to cruelty and harassment at the house of the accused at Ludhiana also. It is further alleged that the accused no.2 and 3 got angry on several occasions and said to O.P. No.2 that your father has cheated us by alluring us with his sweet words and has misled by giving a nominal gifts of Rs.15 Lakhs. It is further alleged that on 08.03.2021, all accused persons along with some relatives came to the house of the complainant and said in clear words that we have taken a Creta SUV car on loan and to repay the loan amount, arrange Rs. 8 Lakhs immediately otherwise we will not keep your daughter in this house. The father of the complainant shown his inability to



fulfil the same due to his financial constraints, as a result of which, the accused went away and told that he will never keep the complainant and will marry for the second time and also, if the complainant returns to join her in-laws' house, they will kill her. She further alleged that the accused persons have deliberately destroyed and ruined the happy life.

4. It is submitted by learned counsel appearing for the petitioners that the matter appears compromised between the parties before the Patna High Court Mediation Centre through Mediation Proceeding No.382 of 2025 dated 18.06.2025. It is submitted that in terms of compromise, the husband of O.P. No.2, namely, Abhij Gupta @ Abhijeet Gupta, who is the son of petitioners has paid Rs.16 Lakhs as permanent alimony through two different Demand Drafts bearing No.022628, dated 08.06.2025 and Demand Draft No.022629 dated 08.06.2025. It is also submitted that parties have decided to dissolve their marriage by way of mutual consent as per provision under Section 13-B of the Hindu Marriage Act, 1955. It is submitted that the petitioners are in-laws and, therefore, continuing present proceedings



before the court of law in view of aforesaid compromise would only amount to abuse of the process of the court of law and, therefore, the impugned cognizance order dated 07.08.2024 is quashed/set aside.

5. It is also submitted by learned counsel that in view of compromise, the entire cognizance order *qua* petitioners including husband of O.P. No.2 namely, Abhijit Gupta @ Abhijeet Gupta be quashed/set aside to secure the end of justice.

6. Mr. Ashok Kumar, learned counsel appearing for O.P. No.2 has conceded to receive Rs. 16 Lakhs through afore-mentioned demand drafts. It is also submitted that the matter has been compromised before the Mediation Centre of Patna High Court.

7. It would be apposite to reproduce the proceedings of Mediation of Mediation Proceeding No.382 of 2025 (arising out of Cr. Misc. No.78300 of 2024) dated 18.06.2025 for better understanding of compromise as arrived between the parties, which is as under:-

**"Patna High Court Mediation Centre**  
**Memorandum of Agreement**



**Mediation Proceeding No.382 of 2025**  
**[Arising out of Cr. Misc. No.78300 of**  
**2024]**

An agreement made on 18.06.2025 at the  
High Court Patna Mediation Centre, between,

Abhijit Gupta @ Abhijeet Gupta, son of  
Hirdya Nand Gupta @ Hridyanand Gupta, Resident of  
Village-Kehuniya, P.O.-Pakri, P.S.-Deoriya, District-  
Deoria, Uttar Pradesh, And at present Resident of  
Village-House No.103 Nirmal Enclave, Vpo Dad, Near  
Basant City, P.S.-Ludhiana, District-Ludhiana, Punjab-  
142022, Mobile No.7071366000

... .. **Petitioner/(First Party)**

And

Anisha @ Anisha Devi D/o Sri Awadh  
Kishore Gupta, W/o Abhijeet Gupta Resident of Village-  
Farchhuan, P.O.- Vishnupura, P.S.- Mairwa, District-  
Siwan, Mobile No.8368062048/62800945370.

... .. **Opposite Party/(Second Party)**

Both the parties appeared in the  
Mediation Proceeding along with their Learned  
Advocates and ready to resolve the dispute through  
the Mediation Proceeding on the following terms  
and conditions:-

1. That after great persuasion both the  
parties agreed to live separately and for this the  
petitioner (Abhijit Gupta @ Abhijeet Gupta) offered  
to pay Rs.16,00,000/- (Rupees Sixteen Lakhs Only)  
as full and final one time settlement amount to the  
Opposite Party No.2 (Anisha @ Anisha Devi).



Opposite Party No.2 accepted the offer and gave her consent.

2. That the husband/petitioner has agreed to pay the aforesaid one time settlement amount of Rs.16,00,000/- (Rupees Sixteen Lakhs Only).

3. That the husband/petitioner has paid the aforesaid amount of Rs.16,00,000/- (Rupees Sixteen Lakhs only) vide Demand Draft No.022628, dated 08.06.2025 of Rs. 8,00,000/- (Rupees Eight Lakhs only) and Demand Draft bearing No.022629, dated 08.06.2025 of Rs.8,00,000/- (Rupees Eight Lakhs Only), which has been accepted and acknowledged by the Opposite Party No.2 namely, Anisha @ Anisha Devi today i.e. 18.06.2025.

4. That in view of settlement arrived at between the parties, both the parties have agreed to file the mutual divorce petition in terms of Section 13(B) of the Hindu Marriage Act, before the Principal Judge, Family Court, Siwan.

5. That the opposite Party No.2/wife agrees and undertakes to withdraw all Civil and Criminal Cases instituted by her against the petitioner/husband and his family members, which is Maintenance Case No.325 of 2022 pending before the Court below, Criminal Case bearing Complaint Case No.775(P) of 2022 filed U/s 498-A and other allied Sections of IPC and quashing matter Criminal Miscellaneous No.74820 of 2024



(Munni Gupta and Hirdya Nand Gupta).

6. That the Opposite Party No.2/wife as well as petitioner has agreed the fake accounts created in the name of Petitioner/husband on instagram and/or any other social media platforms.

7. That both the parties have further agreed to withdraw respective cases Civil/Criminal in nature filed against each other in the light of one time settlement of dispute soon after filing of the mutual divorce petition.

8. That the Opposite Party No.2/wife further undertakes that she will not claim any share right, title, interest in any movable or immovable property belonging to the petitioner/husband.

9. This settlement shall be full and final settlement and no party shall claim in future against each other, in any manner.

10. That both the parties agreed to file mutual consent divorce cases under Section 13(B) of the Hindu Marriage Act, 1955, before Principal Judge, Family Court, Siwan as mentioned above and after that both the parties are free to lead their life as per their own will.

11. That the above contents of the agreement have been read over and explained to us in Hindi which are fully understood and accepted there upon.

12. That in the above terms and conditions the present settlement has been arrived



at between the parties and both parties have signed  
in presence of their learned counsels, who have also  
put their signature on this agreement.

|                                          |                               |
|------------------------------------------|-------------------------------|
| Sd/-                                     | Sd/-                          |
| (Abhijit Gupta @ Abhijeet Gupta)         | (Anisha @ Anisha Devi)        |
| (Signature of petitioner)                | (Signature of O.P. No.2)      |
| Date: 18.06.2025                         | Date: 18.06.2025              |
| Sd/-                                     | Sd/-                          |
| (Signature of the petitioners' Advocate) | (Sign. of O.P. No.2 Advocate) |
| Date-18.06.2025                          | Date:- 18.06.2025)"           |

8. In view of aforesaid factual submissions and by  
taking note of fact as matter has already compromised  
between the parties, where O.P. No.2 decided to dissolve the  
marriage with husband/accused Abhijit Gupta @ Abhijeet  
Gupta and also received permanent alimony of Rs.  
16,00,000/- (Rupees Sixteen Lakhs only), therefore, to  
secure the end of justice, the cognizance order dated  
07.08.2024 as passed by learned S.D.J.M., Siwan in  
**Complaint Case No.775 of 2022** against the petitioners  
including the husband of O.P. No.2, namely, Abhijit Gupta @  
Abhijeet Gupta and also **Maintenance Case No.325 of  
2022** pending before the court of learned Principal Judge,  
Family Court, Siwan is hereby quashed/set aside.

9. Accordingly, the present quashing petition



stands allowed. Pending application(s), if any, stands disposed of.

10. Office is directed to send a copy of the judgment to the learned trial courts forthwith.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

|                   |            |
|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 25.06.2025 |
| Transmission Date | 25.06.2025 |

