

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5805 of 2023

Arising Out of PS. Case No.-991 Year-2021 Thana- MUNGER COMPLAINT CASE
District- Munger

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Pinku Kumar Singh @ Pinku Kumar @ Pinku Singh S/O Shyam Nandan Singh Resident of village- Sahijana, Ward No- 11, Tower Gali, P.O and P.S.- Garhwa, District- Garhwa, Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranju Kumari W/O Pinku Kumar Singh @ Pinku Kumar, D/O Mohan Singh Resident of Village- Near Bekarpur, Bhola Mandir in front of United Bank of India, P.S.- Kotwali, District- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sudhir Kumar Singh, Advocate
For the O.P. No. 2	:	Mr. Ravi Ranjan, Advocate
		Ms. Kumari Guriya, Advocate
For the State	:	Mr. Sanjay Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 23-09-2025

Heard Mr. Sudhir Kumar Singh, learned counsel appearing on behalf of the petitioner; Mr. Sanjay Kumar Singh, learned APP for the State and Mr. Ravi Ranjan, along with Ms. Kumari Guriya, learned counsels appearing on behalf of the O.P. No.2.

2. The present application has been filed for quashing the order dated 08.04.2022 passed by the learned Additional Chief Judicial Magistrate-2nd, Civil Court, Munger in Complaint Case no. 991(C) of 2021, by which cognizance of the offences has been taken under Sections 498(A), 504, 323 of the



Indian Penal Code and Section 3/4 of the D.P. Act.

3. At the outset, it is informed by the learned counsels appearing on behalf of the respective parties that a joint compromise petition dated 16.04.2025 for dissolution of marriage under Section 13B of the Hindu Marriage Act has been filed in Criminal Revision No. 607 of 2023 and the same has been brought on record by way of 'Annexure-D' to the quashing application, which bears the signature of both petitioner and opposite party no. 2. The parties don't want to pursue the matrimonial suit and they have withdrawn their respective cases filed against each other. Learned counsel, in this view, submitted that no case is made out against the petitioner and the entire criminal proceeding in connection with Complaint Case no. 991(C) of 2021 is fit to be set aside and quashed in light of the law laid down by the Apex Court in the case of **B.S. Joshi v. State of Haryana**, reported in, (2003) 4 SCC 675; **Gian Singh v. State of Punjab**, reported in (2012) 10 SCC 303; **Jitendra Raghuvanshi & Ors. Vs. Babita Raghuvanshi & Ors.**, reported in (2013) 4 SCC 58 and **Yogendra Yadav & Ors. Vs. State of Jharkhand & Anr.** reported in (2014) 9 SCC 653.

4. In view of the information that respective parties have withdrawn their cases lodged by them against each other



and no case is pending before learned District Court, I find that in light of the law laid down by the Apex Court, as discussed hereinabove, continuation of the criminal proceeding against the petitioner will be abuse of process of law.

5. Accordingly, entire proceeding in connection with Complaint Case no. 991(C) of 2021 and also the cognizance order dated 08.04.2022 passed by the learned Additional Chief Judicial Magistrate-2nd, Civil Court, Munger, are **set aside and quashed.**

6. The quashing application stands disposed of.

7. Interlocutory application(s), if any, also stands disposed of.

(Purnendu Singh, J)

Niraj/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	24.09.2025
Transmission Date	N/A

