

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.871 of 2023**

Arising Out of PS. Case No.-5359 Year-2019 Thana- PATNA COMPLAINT CASE District-  
Patna

Pratyush Srivastava, S/O Arun Kumar Chand Srivastav, Resident of 749-I,  
Ganeshpuram, Rapti Nagar, Phase, Gorakhpur (U.P.), 273003

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Government of Bihar, Patna.  
Bihar
2. Reva Saxena, D/O Pushkar Saxena, Resident of Flat No.- 104 Sabita  
Apartment Ram Nagri More, Ashiyana, Nagar, P.S.- Rajiv Nagar, District-  
Patna.

... .. Respondent/s

**Appearance :**

|                      |   |                                                                           |
|----------------------|---|---------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr.Ranjan Kumar Srivastava, Advocate<br>Mr. Shashwat Srivastava, Advocate |
| For the State        | : | Mr. Deepak Kumar, AC to GP-4                                              |
| For Respondent No.2  | : | Mr. Anil Kumar Sinha, Advocate<br>Mr. Umesh Kumar Singh, Advocate         |

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

4      24-02-2026                      The matter of the parties was referred for mediation and the dispute between the parties has been resolved after mediation. From the report of learned Mediator dated 19.09.2025, it transpires that the petitioner agreed to pay Rs.16,00,000/- in two installments as full and final settlement with respondent no.2 and it has also been submitted that the petitioner has already paid first installment of Rs. 8,00,000/- on 03.10.2025. Thereafter, the second installment of Rs.8,00,000/- was to be paid at the time of withdrawal of cases filed by the respondent party no.2.



2. The learned counsel for the petitioner submits that the respondent no.2, after receiving the first installment of Rs.8,00,000/-, has not filed any application for withdrawal of the cases mentioned in the memorandum of agreement in Mediation Proceeding No.903/2025. A total of three cases has been lodged between the parties, out of which, two cases are pending before the courts at Patna, whereas one case is pending before the learned Additional Principal Judge, Family Court, Gorakhpur (UP).

3. On the other hand, learned counsel appearing on behalf of respondent no. 2 submits that the petitioner is avoiding appearance in the court concerned, whereas the respondent no. 2 has been appearing before the court concerned. Since, no further payment has been made, no application for withdrawal of cases has been filed.

4. Perused the record.

5. From perusal of record, I find that both the parties have agreed to withdraw their respective cases (civil or criminal). Further from perusal of the memorandum of agreement, I find that the petitioner is required to pay the second installment of Rs. 8,00,000/-towards full and final settlement through demand draft at the time of withdrawal of cases.



6. Since both the parties are willing to abide by their settlement, the petitioner is directed to furnish the demand draft of Rs.8,00,000/- before the court of learned Sub-Divisional Judicial Magistrate, Patna on the next date fixed in Complaint Case No. 5359(C) of 2019. Thereafter, the learned Sub-Divisional Judicial Magistrate, Patna would keep the demand draft in safe custody and would hand it over to the respondent no.2 when the respondent no. 2 would produce the copy of orders of other two courts regarding withdrawal of cases namely, Maintenance Case No. 4042 of 2019, pending before the learned Additional Principal Judge, Family Court, Patna and Miscellaneous Case No. 183 of 2024, pending before the learned Additional Principal Judge, Family Court, Gorakhpur (UP). When the proof of withdrawal of these two cases is produced before the learned Sub-Divisional Judicial Magistrate, Patna, the learned Sub-Divisional Judicial Magistrate, Patna would proceed for disposal of Complaint Case No.5359(C) of 2019 in terms of settlement between the parties and after disposal of Complaint Case No.5359 (C) of 2019 would hand over the demand draft to respondent no.2.

7. At this stage, learned counsel for the petitioner seeks permission to withdraw the present petition, submitting



that the respondent no. 2 be directed to abide by her settlement and learned Sub-Divisional Judicial Magistrate, Patna be directed to strictly comply the orders of this Court.

8. Therefore, the present writ petition stands disposed of in terms of aforesaid direction to the respondent no. 2 as well as learned Sub-Divisional Judicial Magistrate, Patna.

**(Arun Kumar Jha, J)**

V.K.Pandey/-

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