

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.29 of 2019

Arising Out of PS. Case No.-152 Year-2009 Thana- PARSABAZAR District- Patna

1. Prabhu Niranjan Kumar Gupta, Son of Late Om Prakash Gupta, Resident of Village- Parsuram Chak, Kurthaul, P.S.- Parsa Bazar, District- Patna.
2. Sushma Devi, Wife of Prabhu Niranjan Kumar Gupta, Resident of Village- Parsuram Chak, Kurthaul, P.S.- Parsa Bazar, District- Patna

... ... Petitioners

Versus

1. State of Bihar
2. Sita Devi, Daughter of Sri Harishankar Prasad Gupta, Resident of Village- Dashratha, P.O. and P.S.- Beur, District- Patna

... ... Respondents

with

CRIMINAL REVISION No. 1413 of 2018

Arising Out of PS. Case No.-152 Year-2009 Thana- PARSABAZAR District- Patna

1. Gautam Kumar, Son of Prabhu Niranjan Kumar Gupta, Resident of Village- Parsuram Chak, P.S. Parsa Bazar, District- Patna.
2. Pawan Kumar, Son of Prabhu Niranjan Kumar Gupta, Resident of Village- Parsuram Chak, Kurthaul, P.S. Parsa Bazar, District- Patna.

... ... Petitioners

Versus

1. Sita Devi, Daughter of Sri Harishankar Prasad Gupta, Resident of Village- Dashratha, P.O. Beur, District- Patna.
2. The State of Bihar.



... ... Respondents

Appearance :

(In CRIMINAL REVISION No. 29 of 2019)

For the Petitioners : Mr. Y.C. Verma, Sr. Advocate
Mr. Rabish Kumar, Advocate

For the State : Mr. Upendra Kumar

For the O.P. No.2 : Mr. Rajeev Ranjan Singh, Advocate

(In CRIMINAL REVISION No. 1413 of 2018)

For the Petitioners : Mr. Y.C. Verma, Sr. Advocate
Mr. Rabish Kumar, Advocate

For the State : Mr. Upendra Kumar

For the O.P. No.2 : Mr. Rajeev Ranjan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL JUDGMENT

Date : 04-02-2025

Both the Revision Petitions arise out of the same Parsa Bazar P.S. Case No. 152 of 2009, registered for the offences punishable under Section 498(A) and Section 34 of the Indian Penal Code against the Petitioners in both the petitions.

2. After trial, all the four petitioners, namely, Prabhu Niranjan Kumar Gupta, Sushma Devi, Gautam Kumar and Pawan Kumar have been convicted by learned S.D.J.M. Patna under Section 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act and sentenced accordingly.

3. However, being aggrieved by the judgment of



conviction and order of sentence passed by learned Trial, all the four petitioners preferred Criminal Appeal bearing no.2219 of 2014. However, the Criminal Appeal of the petitioners was also dismissed.

4. Hence, the convicts have preferred these two revision petitions. The Criminal Revision No.29 of 2019 has been preferred by Prabhu Niranjan Kumar Gupta and Sushma Devi, and the Criminal Revision No. 1413 of 2018 has been preferred by Gautam Kumar and Pawan Kumar. The petitioners are husband, brother-in-law and parents-in-law of the informant.

5. However, during pendency of these two revision petitions, the petitioners have filed Interlocutory Applications in both the revision petitions bearing the same no.1 of 2025. In these Interlocutory Applications, supported by affidavit of the petitioners, it is stated that all the matrimonial disputes including the criminal case have been settled/compromised between the parties and the settlement/compromise was already filed in the Appellate Court. A copy of the settlement/compromise has been annexed with the Interlocutory Application.

6. As per the compromise/settlement, both the husband and the wife, Gautam Kumar and Sita Devi,



respectively, have got divorce with mutual consent with permanent alimony of Rs.1,30,000/- paid by the husband to the wife and one girl child remaining with her father. They also stated that they do not want to pursue the criminal case filed by the wife against the husband and his family members.

7. In view of the aforesaid settlement/compromise between the husband and the wife, learned counsel for the petitioners as well as learned counsel for the Opposite Party No.2/informant submit that the holistic settlement between the husband and the wife, Gautam Kumar and Sita Devi respectively has taken place and hence, the criminal case should be quashed at this stage, invoking inherent jurisdiction of this Court, in the interest of justice without going into the merit of the case. Though the settlement/compromise was filed before the Appellate Court itself, but for want of inherent jurisdiction, learned Appellate Court could not consider the compromise/settlement and passed the impugned judgment on merit. However, in view of the settlement between the husband and the wife, there is no point to pursue the case further, it is better to quash the whole proceeding invoking inherent jurisdiction of this Court under Section 482 Cr.PC.

8. Learned counsel for the O.P. No.2/informant has



vakalatnama on record and he also state that the matter has been compromised and settled and both the parties are living peacefully.

9. In view of the aforesaid facts and circumstances, the criminal proceeding at this stage is quashed under Section 482 Cr.PC in the interest of justice and the impugned judgment of conviction and the order of sentence passed by learned Trial Court as well as learned Appellate Court below, are set aside.

(Jitendra Kumar, J.)

Chandan/-

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| AFR/NAFR | NAFR |
| CAV DATE | NA |
| Uploading Date | 05.02.2025 |
| Transmission Date | 05.02.2025 |

