

IN THE HIGH COURT OF JHARKHAND AT RANCHI
First Appeal No.114 of 2018

Mahendra Narayan --- Appellant

Versus

Purnima Devi --- Respondent

CORAM: The Hon'ble Mr. Justice Aparesh Kumar Singh
The Hon'ble Mrs. Justice Anubha Rawat Choudhary
Through: Video Conferencing

For the Appellant : Mr. Pawan Kr. Pathak, Adv.
For the Respondent : Mr. Vikas Kumar, Adv.

11/20.07.2020 Learned counsel Mr. Pawan Kumar Pathak for the appellant and Mr. Vikas Kumar for the respondent wife appear through video conferencing.

Learned Counsel for the appellant submits that the demand draft of Rs.5.75 lakh, as per the terms of the settlement, is ready with the appellant who is present in his chamber to be handed over to the respondent today in terms of the order dated 4th June 2020. He submits that a gold necklace of the respondent is also with the appellant to be handed over today. As per his knowledge, the respondent has also come to Ranchi to attend the proceeding today. Though as per the order dated 4th June 2020 the matter could not be taken up on 15th July 2020. He submits that if the account number and the bank details of the respondent is furnished, the demand draft can be deposited in her account by the appellant by Wednesday (22.07.2020). Learned counsel for the appellant further submits that the respondent is also required to withdraw the criminal case instituted under Section 498A of the I.P.C. being G.R. No.3912/2018 pending before the learned court of Judicial Magistrate, First Class, Ranchi Mr. Manish Kumar Singh. Once the respondent withdraws the criminal case, the instant appeal can be disposed of in terms of their settlement.

Learned counsel for the respondent Mr. Vikas Kumar, on instructions of learned counsel on record Mr. Rajesh Kumar, submits that the demand draft can be deposited by the appellant in her bank account, details whereof are given hereunder :-

Name - Purnima Kumari
Bank Name - Bank of India, Gomia Branch
A/c No. - 481118210011862
IFS Code - BKID0004811.

Learned counsel for the respondent further submits that on credit of such amount in her account, the respondent would move an application before the learned trial court for withdrawal of the criminal case under Section 498A of the I.P.C. instituted by her.

Having regard to the aforesaid facts and the submissions of learned counsel for the parties, let the case appear after two weeks on 6th August 2020. Needless to say, the agreed amount of Rs.5.75 lakh should be deposited by the appellant in the bank account of the respondent by Wednesday and respondent should also take steps for withdrawal of the criminal case before the learned trial court within this time.

Matter be listed accordingly on 6th August 2020 so that the instant appeal can be disposed of in view of the settlement arrived at between the parties.

(Aparesh Kumar Singh, J.)

Shamim/

(Anubha Rawat Choudhary, J.)