

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**Cr. M.P. No.2827 of 2020**

Ravi Agarwal @ Ravi Kumar Agarwal  
@ Ravi Kumar Gangesaria

... Petitioner

Versus

1. The State of Jharkhand
2. Archana Agarwal @ Archana Kumari Agarwal

... Opposite Parties

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**Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

For the Petitioner : Mr. Soumitra Baroi, Adv.

For the State : Mr. Satish Prasad, Addl. P.P.

For the O.P. No.2 : Mr. G.K. Sinha, Adv.

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**05/26.03.2021** Heard the parties through video conferencing.

This criminal miscellaneous petition has been filed under Section 482 Cr.P.C. by the petitioner with a prayer for modification of the order dated 12.10.2020 passed in A.B.A. No.4890 of 2020.

Learned counsel for submits that the petitioner is ready and willing to resume the conjugal life with the opposite party no.2 but the opposite party no.2 is not ready and willing to resume the conjugal life with the petitioner.

Learned counsel for the petitioner submits that vide order dated 12.10.2020 passed in A.B.A. No.4890 of 2020, both the petitioner and the opposite party no.2 were ready and willing to resume the conjugal life and both the petitioner and the opposite party no.2 would appear before the trial court on 23.11.2020 and on that that day, the petitioner will take the opposite party no.2 to his house and will keep and maintain her with full dignity and honour as his lawful wife. It is next submitted that the petitioner went to the trial court on 23.11.2020 but as learned Principal District Judge, Dhanbad organized Corona Test Camp in Dhanbad Civil Court, Dhanbad hence all the matters of 23.11.2020 were posted on 24.11.2020 and then the opposite party no.2 moved the petition dated 24.11.2020 before learned court below and stated that her lawyer has made wrong information to the Hon'ble Court that the informant is willing to live with the petitioner but she is not willing to go

with the petitioner. It is next submitted that although, the petitioner was present in the learned court showing his willingness to take *Bidaai* of the opposite party no.2 but the same was not accepted by the opposite party no.2. Hence, learned counsel for the petitioner submits that the order dated 12.10.2020 passed in A.B.A. No.4890 of 2020 be modified accordingly and the condition of taking the opposite party No.2 by the petitioner be substituted with by the condition of payment of Rs.2,00,000/- as ad interim victim compensation without prejudice to his defence in this case by the petitioner to the opposite party No.2. It is next submitted that the petitioner undertakes that he will not annoy or disturb the informant or her family members in any manner and also will not give any threat to either the informant or her family members during the pendency of the case. Hence, it is submitted that the order dated 12.10.2020 passed in A.B.A. No.4890 of 2020 be modified accordingly.

Considering the facts of the case, the order dated 12.10.2020 passed in A.B.A. No.4890 of 2020 is modified to the extent that the condition of taking the opposite party No.2 by the petitioner and keeping and maintaining her with full honour and dignity as his lawful wife is dispensed with by the condition of paying ad interim victim compensation of Rs.2,00,000/- by the petitioner to the opposite party No.2 and the time period for the petitioner to surrender before the learned court below is extended by six weeks from the date of this order so that the operative portion of the order will read as under.

“Hence, in the event of his arrest or surrendering, the petitioner will be enlarged on bail on depositing a demand draft of Rs.2,00,000/- as ad interim victim compensation without prejudice to his defence in this case drawn in favour of the opposite party no.2 and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount to the satisfaction of learned JMFC, Dhanbad in connection with Mahila P.S. Case No. 15 of 2020 with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile numbers and photocopy of the Aadhar Card with an undertaking that he will not change his mobile numbers during the pendency of the case and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioner deposits the said demand draft, the court below is directed to issue notice to the informant and on her proper identification, the court below shall handover the same to her forthwith.

In case the petitioner deposits Rs.2,00,000/- in favour of the opposite party no.2, the same shall be adjusted towards maintenance, if any or full and final settlement, if any, between the parties.”

The order dated 12.10.2020 passed in A.B.A. No.4890 of 2020 is modified to the aforesaid extent only.

This criminal miscellaneous petition is disposed of accordingly.

Pappu/

**(Anil Kumar Choudhary, J.)**