

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Revision No. 378 of 2024

Diwakar Singh @ Dibakar Singh Petitioner
Versus
1.The State of Jharkhand
2.Anuradha Sinha
3.Simran Saloni @ Simran Sinha Opp. Parties

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner : Mr. Rajendra Krishna, Advocate
: Ms. Tejaswi, Advocate
For the State : Mr. S.K. Srivastava, APP
For the O.P.No.2 & 3 : Mr. Kalyan Banerjee, Advocate

12/Dated:17th January, 2025

The Counter affidavit filed on behalf of the State sworn by the Senior Superintendent of Police, Dhanbad is produced by the office today.

2. Learned counsel for the petitioner submitted that petitioner has already paid Rs.1,00,000/- (Rs.One Lakh) in the joint Account of O.P. No.2 and O.P. No.3. It is further submitted that he has been taken illegally into custody and there is no provision under Section 125(2) Cr.P.C for taking the person in custody.

3. It is submitted that petitioner is further ready to pay Rs.3,00,000/- in three equal installments as he has already retired but he will regularly deposit Rs.1,00,000/- (Rs.One Lakh) every month till the arrears of maintenance amount of daughter i.e. O.P. No.3 is realised.

4. Learned counsel for the O.P. Nos.2 and 3 has raised no objection.

5. Under the circumstances mentioned above and on the facts and circumstances of this case, the Court below is directed to

forthwith release the petitioner-Diwakar Singh @ Dibakar Singh from the custody forthwith and send the compliance report by tomorrow i.e.18.01.2025.

6. In the meantime, the petitioner is directed to deposit Rs.1,00,000/- (Rs.One Lakh) every month in the joint Account of O.P. Nos.2 and 3 namely Anuradha Sinha and Simran Saloni @ Simran Sinha by 30th of January, 2025 and pay the remaining installment also by the end of the prospective coming months.

7. Put up this case on 04.03.2025.

8. Let a copy of this order be sent through FAX to the learned Principal Judge, Family Court, Dhanbad and also to the learned Principal District and Sessions Judge, Dhanbad for its compliance.

(Sanjay Prasad, J.)