

IN THE HIGH COURT OF JHARKHAND, RANCHI
Cr. Revision No. 1363 of 2023

Sunil Kumar aged about 47 years son of Parmeshwar Kumar Vishwakarma, resident of Qr. No.L-5-1 Jemo Colony, PO and PS Telco, Jamshedpur, District East Singhbhum Presently residing at Chandrawati Nagar, Dimna Mango, PO Mango, PS Ulidih, Town Jamshedpur, and District East Singhbhum Petitioner(s)

-- Versus --

1.The State of Jharkhand
 2.Kiran Kumari, wife of Sunil Kumar resident of Village Jhalkadih, PO Chaupnadih, PS Markachho, District Koderma Opp. Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner(s)	:-	Mr. Samir Kumar Lal, Advocate
For the State	:-	Mr. Rajesh Kumar, Advocate [Through V.C]
For the O.P.no.2	:-	Mr. Subham Srivats, Advocate

12/25.11.2025 This petition has been filed for setting aside the order dated 01.09.2023 passed in Maintenance Alteration Case No.04 of 2021 passed by learned Principal Judge, Family Court, Koderma by which the learned court has been pleased to dismiss the petition under section 127(1) of the Cr.PC for modification of the order dated 25.02.2019 passed in Original Maintenance Case No.51 of 2018 filed under section 125 Cr.PC by the O.P.no.2.

2. The learned counsel for the petitioner submits that Original Maintenance Case No.51 of 2018 was allowed under section 125 Cr.PC and the petitioner was directed to pay Rs.20,000/-. He further submits that subsequently the altercation case was filed which has been dismissed by the learned court and that is under challenge in this petition. He further submits that during pendency of this criminal revision petition, a good sense has prevailed between the petitioner and the O.P.No.2. By the coordinate Bench of this Court the matter was sent for mediation between the parties and

pursuant to that, mediation has taken place. The husband and wife have decided to mutually obtain divorce. He then submits that pursuant to that, O.S. No.78 of 2025 was filed before the Principal Judge, Family Court, Koderma in which mutual divorce was granted by the decree dated 19.11.2025. He next submits that one time alimony has been decided in that case to the tune of Rs.18 lacs to be paid to the O.P.No.2. He further submits that Rs.18 lacs has already been paid to the O.P.No.2. On this ground, he submits that the maintenance order may kindly be allowed to be merged in the one-time alimony passed by the learned Principal Judge, Family Court, Koderma. He further submits that all these facts have been disclosed in joint compromise petition being IA No.9244 of 2025. He then submits that husband and wife both have decided to obtain consent divorce. He next submits that the said IA is filed on separate affidavit by both sides. He also submits that this order may be merged in one time alimony order passed by the learned court in the original maintenance case.

3. The learned counsel appearing for the O.P.No.2 accepts the above submission of the learned counsel of the petitioner and submits that the matter is settled between the parties.

4. In view of above submission of learned counsel for the parties, this petition is being disposed of in light of the mutual divorce granted to the petitioner by which one time alimony of Rs.18 lacs has been allowed to wife and, as such, maintenance order will merge in that order.

5. Hence, this petition is disposed of. Pending petition if any also stands disposed of.

(Sanjay Kumar Dwivedi, J.)

Dated : 25th Nov., 2025
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