

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SPetition for Special Leave to Appeal (Crl.) No.8995/2019

(Arising out of impugned final judgment and order dated 18-09-2019 in CRLM No. 58794/2019 passed by the High Court of Judicature at Patna)

AMAR MALLIK @ AMAR MALLICK @ AMAR LAXMI MALLICK Petitioner(s)

VERSUS

THE STATE OF BIHAR & ANR. Respondent(s)

(MEDIATION REPORT HAS BEEN RECEIVED FROM SUPREME COURT MEDIATION CENTRE)

(IA No. 159389/2019 - EX-PARTE BAIL, IA No. 149877/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 159391/2019 - EXEMPTION FROM FILING O.T. AND IA No. 159386/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 13-08-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s)

Mr. Devadatt Kamat, Sr.Adv.
Mr. Nishanth Patil, AOR

For Respondent(s)

Mr. Saket Singh, Adv.
Mrs. Niranjana Singh, AOR

Mr. Preetam Shah, Adv.
Mr. M. A. Krishna Moorthy, AOR

UPON hearing the counsel the Court made the following
O R D E R

The Court is convened through Video Conferencing.

Heard the learned Senior counsel appearing for the petitioner and the learned counsel appearing for the respondents.

By an order dated 18-10-2019, this Court while issuing notice, granted interim protection to the petitioner which was renewed from time to time.

By subsequent order dated 9-12-2019, the parties were directed to appear before the Supreme Court Mediation Centre on 13-1-2020 at 2.00 p.m.

However, as per the Mediation Report dated 7-2-2020, the parties could not arrive at an amicable settlement and the mediation has thus failed in the matter.

After perusing the material available on record, we find that the petitioner has not paid any maintenance to his wife – Respondent No.2 so far and after taking into account his salary, we direct the petitioner to pay an amount of Rs.2,50,000/- (Rupees Two Lakhs and Fifty Thousand) to her towards maintenance within a period of four weeks from today, by way of a Demand Draft drawn in her favour. We make it clear that the aforesaid amount granted towards maintenance is adjustable against the amount that may be awarded in maintenance proceedings.

Subject to the said condition being complied with by the petitioner, we are inclined to grant anticipatory bail to the petitioner subject to the terms and conditions to be imposed by the Arresting Authority/Trial Court. However, petitioner is directed to cooperate with the investigating agency without fail.

With the said observation, the Special Leave Petition is disposed of.

Pending applications filed in the matter also stand disposed of.

(VISHAL ANAND)
COURT MASTER (SH)

(RAJ RANI NEGI)
ASSISTANT REGISTRAR