

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr.M.P. No. 2351 of 2020

Nagendra Tiwari & Ors.	-----	...	...	Petitioners
	Versus			
1. Santosh Upadhyay				
2. The State of Jharkhand		...	...	Opposite Parties

CORAM: HON'BLE MR. JUSTICE NAVNEET KUMAR

For the Petitioner	-----	: Mr. Tirtha Nandan Jha, Advocate
For the State		: Mr. Rakesh Ranjan, A.P.P.

Order No. 08 / Dated: 1st March, 2023
I.A. No. 409 of 2023.

Heard learned counsel for the petitioner and learned counsel for the State as also learned counsel for opposite party No. 1.

Learned counsel for the parties have jointly submitted that it is a matrimonial dispute between the parties and the opposite party No. 1, Santosh Upadhyay being the husband of Nisha Upadhyay has instituted a case against the members of the in-laws family, who are father and mother of his wife Nisha Upadhyay, as petitioner No. 1 and petitioner No. 2.

Learned counsel for the parties have jointly submitted that since it is a matrimonial dispute between the parties and one criminal case inter alia under Section 498-A of the Indian Penal Code has also been instituted by the wife Nisha Upadhyay against opposite party No. 1, Santosh Upadhyay and therefore, let this matter be referred to the Mediation Centre, JHALSA, Ranchi, in order to explore the possibilities of resolving the dispute amicably between the parties through the process of mediation.

This case is directed to be posted in the Mediation Centre, JHALSA, Ranchi on 20.03.2023 at 11:00 A.M.

Accordingly, the Member Secretary, JHALSA, Ranchi is directed to depute a good Mediator to resolve the dispute amicably between the parties through the process of mediation.

Learned counsels appearing on behalf of the parties are directed to ensure the presence of the petitioners, the opposite party No. 2 and the wife of opposite party No. 2, Nisha Upadhyay before the Mediation Centre, JHALSA, Ranchi on 20.03.2023 at 11:00 A.M.

Let a copy of this order be sent to the Member Secretary, JHALSA, Ranchi to ensure that the process of mediation is held effectively between the parties and furnish a report after completion of the process of mediation.

Further it is submitted on behalf of the petitioner that one Interlocutory Application being I.A. No. 409/23 has been filed on behalf of the petitioner praying therein to extend the interim relief granted to the petitioners vide order dated 06.10.2021 and subsequently vide order dated 03.02.2022.

Having taken into consideration the aforesaid facts and circumstances of this case it is found just and proper to extend the interim relief granted to the petitioners that “no coercive steps shall be taken against the petitioners, in connection with Complaint Case No. 1710 of 2019, pending in the Court of learned Judicial Magistrate, 1st Class, Dhanbad, is extended and shall remain in force till the next date.

Let this case be posted immediately after the receipt of the report of the Mediation Centre.

In above view of the matter, the pending Interlocutory Application being I.A. No. 409 of 2023 gets disposed of accordingly.

J.Minj

(Navneet Kumar, J.)