

Court No. - 92

Case :- APPLICATION U/S 482 No. - 835 of 2022

Applicant :- Udit Sharma And 2 Others

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Dharmendra Kumar Chaubey, Pravin Kumar Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Manish Kumar, J.

(Order on C.M.A. No. 01 of 2022)

This is an application seeking amendment in the prayer clause as well as in the petition.

Reasons shown in the affidavit filed along with the present application are found to be satisfactory.

The application is ***allowed***.

Learned counsel for the applicants is permitted to make necessary amendment/incorporation during the course of the day in the prayer clause and in the memo of petition as only a section is to be added , which was left to be added at the time of filing of the present petition due to typographical error

Order on petition

Heard learned counsel for the applicants, learned AGA for the State and perused the record.

The present petition has been preferred under Section 482 Cr.P.C. to quash the entire proceedings of Complaint Case No. 963 of 2020 pending in the Court of Civil Judge (Senior Division)/FTC/Additional Chief Judicial Magistrate, Bijnore under Section 498A, 452, 323 and 504 of IPC and under Section 3/4 of the Dowry Prohibition Act, Police Station Mahila Thana, District Bijnor as well as impugned summoning order dated 07.09.2021 issued by learned Civil Judge (Senior Division)/FTC/Additional Chief Judicial Magistrate, Bijnore in Complaint Case No. 963 of 2020 as well as impugned summoning order dated 07.09.2021 issued by learned Civil Judge (Senior Division)/FTC/ACJM, Bijnore in Complaint Case No. 963 of 2020.

At the outset, learned counsel for the applicants submits that the applicants are ready to settle the dispute amicably through the

process of mediation.

Looking to the fact that the dispute is matrimonial in nature, I am of the opinion that the parties may be given a chance to settle their dispute in an amicable manner.

It is, therefore, provided that the matter be referred to the Mediation and Conciliation Centre of the High Court at Allahabad. The applicant shall deposit an amount of Rs. 15,000/- before the Mediation and Conciliation Centre, High Court, Allahabad within a period of two weeks from today. Subject to the said deposit, notice be issued to respondent no.2 (wife) intimating the date of appearance before the Mediation and Conciliation Centre, High Court, Allahabad. An amount of Rs. 10,000/- shall be paid to the respondent no.2 (wife) on the date of her first appearance before the Mediation and Conciliation Centre, High Court, Allahabad.

The report of the Mediation and Conciliation Centre of the High Court at Allahabad be submitted before the Court within a period three months.

For a period of three months or till mediation report is received, whichever is earlier, applicant shall not be arrested.

In case of default on the part of the applicant in making the deposits within the time given above, the interim protection granted hereinabove shall stand automatically vacated.

List immediately after expiry of the aforesaid period before the appropriate Court along with the mediation report.

Order Date :- 11.4.2022

Ashish