

Court No. - 75

Case :- APPLICATION U/S 482 No. - 1185 of 2025

Applicant :- Suchitra And Another

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

Counsel for Applicant :- Neetu Singh, Rajesh Kumar Pandey

Counsel for Opposite Party :- G.A., Siddarth Jaiswal

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard Sri Rajesh Kumar Pandey, learned counsel for the applicants, Sri Siddarth Jaiswal, learned counsel for the opposite party no.2 and Sri Rajeev Kumar Singh, learned AGA for the State.

2. The present application has been filed for quashing the charge sheet dated 27.03.2024 as well as summoning/cognizance order dated 25.04.2024 including the entire proceedings of Case No.35616 of 2024, arising out of Case Crime No.469 of 2023, under Sections 498A, 323, 504 IPC and 3/4 D.P. Act, Police Station Bhelupur, District Varanasi pending in the court of Additional Chief Judicial Magistrate, 3rd, Varanasi.

3. Contention of learned counsel for the applicants is that the present matter is matrimonial dispute and the same can be amicably settled through mediation proceeding and a request is made to refer this case to Mediation and Conciliation Centre of this Court.

4. Learned counsel for the opposite party no.2 has no objection.

5. In view of the above, it is directed that applicants shall deposit a sum of Rs. 50,000/- within three weeks from today with the Mediation Centre of this Court out of which Rs. 45,000/- shall be paid to opposite party no. 2, on the date fixed, on her appearance before the Mediation Centre and Rs. 5000/- be retained by the Mediation Centre as mediation fee.

6. The matter is remitted to the Mediation Centre with the direction that after deposit of such amount, by the applicants, it shall issue notice to the parties fixing some date for mediation and shall make all possible efforts to conclude the mediation and conciliation proceedings expeditiously.

7. It is also directed that while depositing the aforesaid amount

before the mediation centre, counsel for the applicants shall also file a photocopy of memo of parties as mentioned in present case along with WhatsApp number as well as Email Id of the private respondent(s), if available.

8. List this case in the week commencing 21st July, 2025 along with Application u/s 482 No.26872 of 2024 before the appropriate Bench along with the report of Mediation Centre.

9. After depositing Rs.50,000/- before mediation centre, the receipt of the same shall be submitted by the applicants before the court below. In case, such receipt of deposit is filed before the court below then, no coercive action shall be taken against the applicants in the aforesaid case, till next date of listing.

10. In case, the applicants fail to submit the receipt of deposit before the court below then court below will be free to proceed in the matter.

11. It is made clear that in case there occurs default by the applicants either in depositing the amount or in appearing before the Mediation Centre on the date fixed, the interim order shall cease to operate and the Mediation Centre shall immediately communicate with the office which in turn shall list the case within a week before the appropriate Bench for passing orders in the matter.

12. It is clarified that interim order has been granted till the next date, if the applicants fail to produce any order of this court extending the interim order after the date fixed then court below would be free to proceed against the applicants.

13. In the meantime, learned counsel for the applicants will file an amendment application to convert the present application into an application u/s 528 BNSS.

Order Date :- 28.4.2025

A.Kr.