



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 373 of 2026

Vir Singh

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s) : Adarsh Mishra, Chandra
Prakash Pandey

Counsel for Opposite Party(s) : G.A.

Court No. - 87

HON'BLE PRAVEEN KUMAR GIRI, J.

1. Heard Sri Chandra Prakash Pandey, learned counsel for the revisionist and Sri Shashidhar Pandey, learned A.G.A. for the State.

2. Learned counsel for the revisionist submits that the revisionist has preferred the instant criminal revision with the relief which has been mentioned in the prayer clause. The relief which has been mentioned in the revision is delineated below:-

"It is therefore, most respectfully prayed that this Hon'ble court may graciously be pleased to allow the present criminal revision and set aside the imposed amount in the Order dated 28.10.2025 passed by Learned Chief Judge Family Court, Auraiya in pursuance of Application 3(Kha) u/s 126 (2) of Cr.P.C (Case No. 0462 of 2023), arising out of Case No. 0850 of 2021 in Complaint/Application u/s 125 of Cr.P.C, concerned Police Station Airwa Katra, District Auraiya (Vir Singh Vs Smt. Malti Kumari).

It is further prayed that this Hon'ble court may graciously be pleased to direct or pass an order and/or notice. And or pass such other and further order which this Hon'ble court may deem fit and proper under the facts and circumstances of the case, otherwise revisionist shall suffer irreparable loss and

injury."

3. Learned counsel for the revisionist submits that vide order dated 06.06.2023, the Principal Judge, Family Court, Auraiyya has passed an ex parte order directing the revisionist/husband to pay Rs.3000/- per month maintenance amount to his wife/O.P. No.2. Thereafter, the revisionist has filed an application under Section 126(1) Cr.P.C. before the Principal Judge, Family Court, Auraiyya, which has been dismissed vide order dated 28.10.2025 and the said order is under challenge in this revision. He further submits that the revisionist/husband wants to settle the dispute with his wife as there is ample chance of settlement of dispute between the parties, if the matter is referred to the Mediation and Conciliation Centre of this Court. He further submits that the revisionist (husband) is ready to deposit Rs.1 lakh before the Principal Judge, Family Court, Auraiyya within two months from today for the purpose of initiation of the mediation proceedings.

4. In view of the aforesaid submission of learned counsel for the revisionist as well as in the interest of justice, this matter is referred to the Mediation and Conciliation Centre of this Court. The revisionist is directed to deposit Rs.50,000 before the Principal Judge, Family Court, Auraiyya on or before 13.04.2026 and the rest Rs.50,000/- shall be deposited in the month of May, 2026 before the same court. Upon production of receipt in respect of deposit of first installment by the revisionist, the Mediation and Conciliation Centre is directed to issue notice to O.P. No.2 fixing date on 30.04.2026, on which date both the parties shall appear before the Mediation and Conciliation Centre. In case, the parties do not arrive at any conclusion, another date would be fixed on 30.05.2026 and thereafter, mediation report shall be submitted before this Court on 06.07.2026.

5. Till the next date of listing, the order dated 06.06.2023 passed by Principal Judge, Family Court, Auraiyya in Case

no.850 of 2021 arising out of proceeding under section 125 Cr.P.C., shall remain stayed.

6. In case of non-deposit of amount by the revisionist as directed above or even if the mediation is not successful for any reason, the aforesaid interim order shall stand automatically vacated and the Principal Judge, Family Court, Auraiyya shall proceed to execute the order of maintenance.

7. List this case on 06.07.2026 as fresh.

March 24, 2026

Manish Himwan

(Praveen Kumar Giri,J.)