



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 4093 of 2026

Pushkar Patel

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Pradeep Chauhan, Shiva Kant
Srivastava

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

Court No. - 79

HON'BLE TEJ PRATAP TIWARI, J.

1. Heard Sri Rajiv Upadhaya, Advocate holding brief of Sri Shiva Kant Srivastava, learned counsel for the applicant, learned A.G.A. for the State and perused the record.
2. The present application under Section 528 BNNS has been filed to quash the impugned charge sheet dated 23.09.2025 in Case No. 331 of 2026 (State Vs. Pushkar Patel), arising out of Case Crime No.22 of 2025, under Sections 85, 352 of BNS, Police Station- Mahila Thana, District Varanasi as well as cognizance order dated 02.01.2026, pending in the court of Judicial Magistrate, Court No. 3, Varanasi.
3. Issue notice to opposite party no. 2 returnable at an early date.
4. Learned counsel for the applicant submits that the matter relates to matrimonial dispute and in case, the matter is referred for mediation, the parties may get an opportunity to amicably settle their dispute. He, therefore, submits that in view of the peculiar facts and circumstances of the present case, it will be in the interest of both the parties that the case may be referred for mediation to the Mediation Centre, High Court, Allahabad.
5. The Court is also satisfied on the basis of record and the submissions made before it that the nature of litigation is such that there is a chance to resolve the matter through process of mediation and an attempt ought to be made to explore that possibility.

6. Accordingly, the matter is referred to Mediation & Conciliation Centre of this Court, the applicant will deposit Rs.20,000/- within three weeks at the Mediation Centre. After deposit of the aforesaid amount, office shall send a notice to the opposite party no.2 calling upon him to file counter affidavit. Out of Rs.20,000/-, Rs.15,000/- shall be payable to the opposite party no.2 on his appearance before the Mediation and Conciliation Centre and remaining Rs.5000/- shall be payable to the Mediation and Conciliation Centre. The Mediation Centre will submit its report in the matter within three months.

7. List this case after three months along with the report of Mediation Centre.

8. Till the next date of listing, no coercive action shall be taken against the applicant in the aforesaid case.

9. If the amount, as directed above, is not deposited by the applicants within the aforesaid period, the stay order shall automatically come to an end.

(Tej Pratap Tiwari,J.)

February 10, 2026

PS