



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 4298 of 2026

Mohd Shamim And 4 Others

.....Applicant(s)

Versus

State Of U.P. And 2 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ajay Kumar Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 79

HON'BLE TEJ PRATAP TIWARI, J.

1. Heard learned counsel for the applicants, learned A.G.A. for the State of U.P. and perused the record.
2. The present application under Section 528 B.N.S.S. has been filed to quash the entire criminal proceeding Of charge sheet no. 78 of 2025 dated 17.08.2025 and cognizance / summoning order dated 07.11.2025 passed by learned Judicial Magistrate, Sambhal at Chandausi, in Case No. 3807 of 2025, arising out Case Crime No. 59 of 2025 (State vs. Mohd. Shamim and others), under Section 85, 115(2), 352, 351(2), 76 BNS, Section 3/4 D.P. Act and Section 3/4 Muslim Women (Protection of Rights on Marriage) Act, Police Station Mahila Thana, District Sambhal.
3. Issue notice to opposite party no. 2 returnable at an early date.
4. Learned counsel for the applicants submits that the matter relates to matrimonial in nature, 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, applicants are directed to deposit a sum of Rs.20,000/- by way of Demand Draft / pay order in the name of Registrar General A/c, Allahabad High Court Mediation & Conciliation Centre within a period of three weeks from today. After deposit of the aforesaid amount, office shall send a notice to the opposite party no.2 calling upon her to file counter affidavit. Out of Rs.20,000/-, Rs.15,000/- shall be payable to the opposite party no.2 on her appearance before the Mediation and Conciliation Centre and remaining Rs.10,000/- 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 applicants 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 11, 2026

Manoj