

Case :- APPLICATION U/S 528 BNSS No. - 10584 of 2025

Applicant :- Kaushal Kumar Singh And 3 Others

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

Counsel for Applicant :- Nipun Singh, Rajeev Upadhyay

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard Sri Rajeev Upadhyay, learned counsel for the applicants; Abhishek Kr. Shukla, learned counsel for opposite party No.2 and Sri Rajeev Kr. Singh, learned A.G.A. for the State.

2. The present application has been filed to quash the charge sheet dated 30.09.2024, cognizance and summoning order dated 19.12.2024, as well as entire proceedings of case no. 625 of 2025, arising out of case crime no. 157 of 2024, U/S 323, 504, 506 I.P.C., and 3/4 D.P. Act, P.S.- Ramnagar, District- Varanasi.

3. Contention of learned counsel for the applicants is that the applicants are family members of the husband of opposite party No.2 and the present dispute is a matrimonial dispute which can be settled through mediation, therefore, this matter may be referred to the Mediation Centre, Allahabad High Court. Learned counsel for the applicants further submits that though the husband of opposite party No.2 is not one of the applicants herein, he will also participate in the mediation proceeding.

4. Considering the nature of the case, the present matter is referred to the Mediation Centre, High Court Allahabad, subject to the condition that the applicants will deposit a sum of Rs. 25,000/- within three weeks from today with the Mediation Centre out of which Rs. 20,000/- shall be paid to opposite party no.2 on her appearance before the Mediation Centre on a date to be fixed by the mediation center. Balance Rs.5,000/- shall be retained by the mediation center towards its expenses.

5. It is also directed that while depositing money before the mediation centre, counsel for the applicants shall also file memo of parties as mentioned in case file along with the WhatsApp number as well as email ID of the private respondent(s), if available.

6. Issue notice to opposite party No.2.

7. After depositing the aforesaid amount within aforementioned time, notices shall be issued to the parties fixing some date for mediation and the Mediation Centre shall make all possible

efforts to conclude the mediation and conciliation proceedings expeditiously.

8. List in the week commencing 11.8.2025. In the meantime, learned counsel for the applicants may file an impleadment application to implead the husband of opposite party No.2.

9. It is further provided, if applicants file receipt of deposit of the aforesaid amount before the court below then no coercive action shall be taken against the applicants in the aforesaid case, till the next date of listing.

10. 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 to the office which in turn shall list the case within a week before the appropriate Bench for passing orders in the matter.

11. It is also made clear that in case the applicants fail to submit the receipt of the aforesaid deposit before the court below then the court below is free to proceed against the applicants.

Order Date :- 3.4.2025

Vandana