

Court No. - 75

Case :- APPLICATION U/S 528 BNSS No. - 11421 of 2025

Applicant :- Irfan And Another

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

Counsel for Applicant :- Deepak Rana

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri Deepak Rana, learned counsel for the applicant and Sri Prashant Saxena, learned AGA for the State.
2. The present application has been filed for quashing the entire proceeding as well as charge sheet dated 20.02.2023 including the summoning order dated 04.06.2023 in Case No.26133 of 2023, arising out of Case Crime No.760 of 2022, under Sections 498A, 323, 504 IPC and 3/4 D.P. Act, Police Station Katghar, District Moradabad, pending in the court of Additional Chief Judicial Magistrate, New Court No.2, Moradabad.
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. Issue notice to the opposite party no. 2, returnable at an early date.
5. In view of the above, it is directed that applicants shall deposit a sum of Rs. 25,000/- within three weeks from today with the Mediation Centre of this Court out of which Rs. 20,000/- 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 applicant 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 28.07.2025 before the appropriate Bench along with the report of Mediation Centre.

9. After depositing Rs.25,000/- 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.

Order Date :- 8.4.2025

A.Kr.