

Court No. - 15

Case :- APPLICATION U/S 482 No. - 31735 of 2018

Applicant :- Anand Kumar Sinha And Anr

Opposite Party :- State Of U.P. And Anr

Counsel for Applicant :- Vidya Dhar Dubey, Vivek Dwivedi

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Kumar Singh-I,J.

Heard Sri V.D. Dubey, learned counsel for the applicants, Sri Sunil Kumar Tripathi, learned A.G.A. appearing for the State and perused the record.

This application under Section 482 Cr.P.C. has been moved with a prayer to quash the entire proceedings of Complaint Case No.1961 of 2011 (Ganga Kumar Sinha vs. Anand Kumar and another) under sections 323, 504, 506 IPC, Police Station Indirapuram, District Ghaziabad pending before the Court of Additional Chief Judicial Magistrate VII, Ghaziabad and also a prayer is made to stay the proceedings in this case till the disposal of this application.

Learned counsel for the applicants has contended that the applicant no. 1 and the opposite party no. 2 are the real brothers. The dispute relates to purchase of a plot regarding which both the parties had to share the consideration amount equally but dispute arose and therefore the opposite party no. 2 has falsely implicated the applicant and his wife. He has further contended that there are chances of compromise between the parties hence matter may be referred to the Allahabad High Court Mediation Centre.

Learned A.G.A. has accepted notice on behalf of opposite party no.1 and has not opposed for referring the matter to the mediation.

In view of the fact, it is considered appropriate that this matter be referred to the Allahabad High Court Mediation Centre for making an effort of compromise between the parties through mediation.

Issue notice to opposite party no. 2 by registered post as well as ordinary mode fixing 23.10.2018 to appear before Allahabad High Court Mediation Centre for mediation. An amount of Rs.15,000/- shall be deposited by the applicants before Mediation Centre, Allahabad High Court within ten days from today. Out of the said amount, Rs.12,000/- shall be paid to the opposite party no. 2 when he appears before the Mediation

Centre and the remaining amount of Rs.3,000/- will go to the Mediation Centre. The Mediation Centre shall submit its report within three months thereafter.

Steps be taken within ten days.

List this case on 20.12.2018 before appropriate bench with the report of the mediation centre. Till then, no coercive action shall be taken against the accused-applicants. In case, the amount is not deposited, the interim order shall automatically stand vacated.

Order Date :- 13.9.2018

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