

Court No. - 74

Case :- APPLICATION U/S 528 BNSS No. - 30486 of 2025

Applicant :- Amit Dubey And 2 Others

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

Counsel for Applicant :- Mamta Pandey,R.S. Pandey,Rajshree Malviya

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori,J.

Heard Sri R.S. Pandey, learned counsel for the applicants and Sri V.K. Mishra, learned Brief Holder for the State.

The present 528 B.N.S.S. application has been filed to quash the entire proceedings of Complaint Case No. 617 of 2021 (Asana Dubey Vs. Amit Dubey and others) under Sections 498-A, 323, 506 of Indian Penal Code, registered at Police Station- Kishni, District- Mainpuri as well as order dated 14.06.2023 passed in Criminal Revision No.49 of 2022, whereby the revisional court affirmed the cognizance/summoning order dated 22.09.2021 passed by Additional Chief Judicial Magistrate/ Civil Judge (Senior Division) F.T.C, Mainpuri.

Learned counsel for the applicants submits that the matter relates to matrimonial dispute and applicant no.1 (husband) is ready and willing to settle the dispute amicably and keep the opposite party no. 2 with him. In order to show his bona fides the applicants are ready to deposit Rs. 30,000/- to be handed over to the wife on her first appearance. Learned counsel for the applicants urged that the case may be referred to the Mediation Centre of this Court so that the couple may have a chance to settle their dispute on their own terms through mediation.

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.

Accordingly, the matter is being referred to the Mediation and Conciliation Centre, High Court, Allahabad. The applicants will deposit Rs.30,000/- within three weeks at the Mediation Centre. In case the amount is deposited, the Mediation Centre will issue notices to both the parties returnable within a period of four weeks.

Out of the same, Rs.27,000/- shall be handed over to the wife on her first appearance with regard to her maintenance and minimum expenses. Rs.3,000/- will remain deposited with the Mediation Centre.

The mediator is allowed three months' time to find out possible solution of the dispute between the parties and send his report to the court regarding the outcome of mediation.

Put up this case as fresh on 27.11.2025 along with report of the mediator.

Till the next date of listing, proceeding of Complaint Case No. 617 of 2021 (Asana Dubey Vs. Amit Dubey and others) under Sections 498-A, 323, 506 of Indian Penal Code, registered at Police Station-Kishni, District- Mainpuri Additional Chief Judicial Magistrate/Civil Judge (Senior Division) F.T.C., Mainpuri, shall remain stayed.

It is made clear that in case of default in depositing the amount as ordered above or on non-participation of the applicant in the mediation proceedings, the interim stay order shall stand automatically vacated.

This case shall not be treated as tied up or part heard to this Court.

Order Date :- 20.8.2025

Priya