



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 34787 of 2025

Name Ali And Another
.....Applicant(s)
Versus
State of U.P. and Another
.....Opposite
Party(s)

Counsel for Applicant(s)	:	Krishna Kant Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 74

HON'BLE SANJAY KUMAR PACHORI, J.

Sri Krishna Kant Yadav, learned counsel for the applicants and Sri Chhavipal Singh, learned A.G.A. for the State are present.

The present application U/S 528 BNSS has been filed to quash the entire proceedings in Complaint Case No. 35 of 2023 (Smt. Nazma Bee vs. Name Ali and others), under Section 406 IPC, P.S. Azeem Nagar, District Rampur, pending in the court of Additional Chief Judicial Magistrate, Court No. 2, Rampur.

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 his wife with him. In order to show his bona fides the applicant no.1 is ready to deposit Rs. 30,000/- to be handed over to the opposite party no. 2 (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 applicant no. 1 will deposit Rs.30,000/-

within two 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.

List this case before the appropriate Bench along with report of the mediator on 17.12.2025 as a fresh.

Till the next date of listing, proceeding of Complaint Case No. 35 of 2023 (Smt. Nazma Bee vs. Name Ali and others), under Section 406 IPC, P.S. Azeem Nagar, District Rampur, pending in the court of Additional Chief Judicial Magistrate, Court No. 2, Rampur 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 applicants 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.

September 11, 2025

MAA/-

(Sanjay Kumar Pachori,J.)