

Court No. - 81

Case :- APPLICATION U/S 482 No. - 15753 of 2022

Applicant :- Sheikh Shahnawaz Ahmed

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

Counsel for Applicant :- S. A. Khan

Counsel for Opposite Party :- G.A.

Hon'ble Mrs. Manju Rani Chauhan,J.

Heard Mr. S. A. Khan, learned counsel for the applicant and learned A.G.A. for the State.

This application under Section 482 Cr.P.C. has been filed to quash the Charge sheet no.177 of 2020, dated 21.08.2020 and cognizance order dated 15.07.2021 alongwith entire proceedings in Case No.2675 of 2021 (State of Sheikh Shahnawaz Ahmed and Others) arising out of Case Crime No.173 of 2020, under Section 498A, 323, 504, 506 IPC and Section 3/4 D.P.Act, Police Station-Bhadohi, District-Bhadohi.

From perusal of the record, it appears that the applicant is the husband of opposite party no.2.

Learned counsel for the applicant submits that the dispute between the parties is a matrimonial dispute and in case, the matter is referred for mediation, the parties may get an opportunity to amicably settle their dispute. He, therefore, submits that in view of the peculiar facts and circumstances of the present case, it will be in the interest of both the parties that the party may be referred for mediation to the Mediation Centre, High Court, Allahabad.

Learned A.G.A. has no objection to this proposition.

In view of the above, the matter is referred to Mediation & Conciliation Centre of this Court. The applicant is directed to deposit a sum of Rs. 40,000/- by way of Demand Draft / pay order in the name of Registrar General A/c, Allahabad High Court Mediation & Conciliation Centre within a period of four weeks from today. After deposit of the aforesaid amount, office shall immediately send a notice to the opposite party no.2 calling upon her to file counter affidavit. Out of Rs. 40,000/-, Rs. 35,000/- shall be payable to the opposite party no.2 on her appearance before the Mediation and Conciliation Centre and remaining Rs. 5,000/- shall be payable to the Mediation and Conciliation Centre.

It is also directed that the aforesaid mediation proceedings be

completed within a period of six months from the date of production of a certified copy of this order.

It is, however, provided that after completion of the mediation proceedings, whatever may be the outcome, the applicants shall be at liberty to file a fresh application under Section 482 Cr.P.C. alongwith mediation report for quashing of the proceedings.

For a period of six months from today or till completion of the mediation proceedings, whichever is earlier, no coercive action shall be taken against the applicant in the aforesaid case.

If the amount, as directed above, is not deposited by the applicant within the aforesaid period, the stay order shall automatically come to an end and the mediation centre shall immediately inform the concerned office, who in turn, shall send a notice to the concerned court below, who shall proceed further in accordance with law.

With the aforesaid directions, this application is finally **disposed of.**

Order Date :- 11.7.2022

Jitendra/-