
(2010) 02 AHC CK 0163
In the Allahabad High Court

Aditya Kumar Kushwaha and Others

APPELLANT

Vs

State of U.P. and Another

RESPONDENT

Date of Decision : 26-02-2010

Acts Referred:

Citation : (2010) 02 AHC CK 0163

Hon'ble Judges : V.K.Verma, J

Final Decision : Disposed Of

Judgement

Vijay Kumar Verma,J.

1. Heard learned counsel for the revisionists and the learned A.G.A.
2. Learned counsel for the applicants is permitted to implead Smt. Sadhuri Devi W/o Aditya Kumar Kushwaha, as opposite party No.3.
3. The applicants have invoked the inherent jurisdiction of this Court under Section 482 of the Code of Criminal Procedure (in short, "the Cr.P.C.") to quash charge sheet dated 26.11.2009 in case Crime No. 58 of 2009 (Case No.130 of 2010) under sections 498A, 323, 504, 506 I.P.C. and 3/4 D.P. Act; P.S. Mahila Thana, District Allahabad bearing Case Crime No.130 of 2010 (State versus Aditya Kumar Kushwaha and others) pending in the Court of Munsif Magistrate, Room No.1 Allahabad.
4. There is matrimonial dispute. The applicants' counsel has submitted that the matter be referred to the Mediation Centre, High Court, Allahabad, as there are chances to settle the dispute by the parties.
5. The matter is, therefore, with the consent of the applicants referred to the Mediation Centre, Allahabad High Court. The applicants shall deposit Rs.5,000/ within four weeks before the Mediation Centre by bank draft in the name of Smt. Sadhuri Devi w/o Aditya Kumar Kushwaha payable at the place where she is residing and Rs.2000/ will be paid in Mediation Centre. The said bank draft shall be handed over to her on her appearing before the Mediation Centre towards her

expenses for attending mediation sessions.

6. The Registry will send a notice through the Munsif Magistrate concerned within a week fixing 19.04.2010 for appearance of the parties, before the Mediation Centre at Allahabad High Court and it shall be mentioned in the notice that the bank draft of Rs.5,000/ deposited by the applicant shall be paid to her when she appears before the Centre. On that date, and on any future dates as directed by the Centre, the husband (applicant no. 1) and the wife aforesaid will appear before the Centre.

7. The Registry will send information of this order to the Mediation Centre within a week.

8. The Centre shall submit a report to this Court within one month from the date of appearance of the parties before it.

9. In case of any default by the applicants in making the appearances before the Mediation Centre on the dates fixed or making the aforesaid payment as directed above, the stay granted by this order shall stand automatically vacated forthwith.

10. Let this case be listed on 06.07.2010 along with the report of the Mediation Centre.

11. Till the next date of listing, further proceedings of the aforesaid case shall remain stayed.

12. In case there is any default by the applicants as above, the Mediation Centre should immediately communicate this fact to the office and office will list the case within a week before the Bench concerned, which may pass order for vacation of the order.

13. On the next date, the case will not be treated as tied up to this Bench and shall be listed before the appropriate Bench.

14. Copy of this order will not be issued unless steps are taken.