
(2009) 05 AHC CK 0752
In the Allahabad High Court

Deep Chandra Verma & Ors	Vs	APPELLANT
State of U.P.& Ors		RESPONDENT

Date of Decision : 22-05-2009

Acts Referred:

Citation : (2009) 05 AHC CK 0752

Hon'ble Judges : Abdul Mateen, J and Raj Mani Chauhan, J

Judgement

R. M. Chauhan, J.

Heard learned counsel for the petitioners and the learned Additional Government Advocate, who has accepted notices on behalf of respondents 1 to 3.

By means of this writ petition prayer has been made with respect to quashing of FIR relating to Case Crime No. 376 of 2009, under Sections 498A, 323, 504 and 506 I.P.C. read with Section 3/4 Dowry Prohibition Act, Police Station Kotwali Dehat, district Bahraich lodged by the respondent no. 4.

It has been argued by the learned counsel for the petitioners that it is a matrimonial dispute, which is going on between husband and wife (Deep Chandra Verma petitioner no. 1 and Smt. Nisha Jyoti Verma respondent no. 4) and now the FIR has been lodged. It has been further argued by the learned counsel for the petitioners that earlier too an application under Section 125 Cr.P.C. was filed, which is pending and even the petitioner no. 1 had filed a complaint case against the respondents 4 and 5 in which notices were issued and this FIR is an outcome of the said vengeance. It has been pleaded that the matter may be amicably settled between the parties through the Mediation and Conciliation Centre of this Court.

Taking into consideration overall aspects of the matter, let notice be issued to Smt. Nisha Jyoti Verma respondent no. 4 to appear before this Court on 22nd July 2009 to show cause as to why the matter may not be sent to the Mediation & Conciliation Centre of this Court.

On the said date, Deep Chandra Verma petitioner no. 1 shall also appear before this Court.

List this case on 22nd July 2009.

Till 22nd July 2009, the petitioners shall not be arrested in the aforesaid crime number, provided they deposit Rs. 05,000=00 (rupees five thousand) in this Court within a week from today out of which Rs. 2,000=00 (rupees two thousand) shall be sent to the Mediation & Conciliation Centre of this Court and remaining Rs. 3,000=00 (rupees three thousand) shall be paid to Smt Nisha Jyoti Verma on her appearance before this Court on the said date without any bond and surety.

It is clarified that if the petitioners fail to deposit the said amount within a week, benefit of this order will not be available to them.