

(2009) 04 AHC CK 0286
In the Allahabad High Court

Mohd.Asif and others.

APPELLANT

Vs

State of U.P.& others.

RESPONDENT

Date of Decision : 02-04-2009

Acts Referred:

Citation : (2009) 04 AHC CK 0286

Hon'ble Judges : Abdul Mateen, J and Suresh Chandra Chaurasia, J

Final Decision : Dismissed

Judgement

S.C. Chaurasia, J.

Heard learned counsel for the petitioners and learned Additional Government Advocate, who has accepted notice on behalf of opposite parties no. 1 ,2 and 3.

Let counter affidavit be filed by the respective opposite parties within six weeks. Rejoinder affidavit, if any, may be filed within next two weeks.

Under challenge is F.I.R. relating to Case Crime No. 808 of 2009, under Sections 498A/323 I.P.C. and ? Dowry Prohibition Act, Police Station Kotwali, District Kheri.

Petitioner no.1 is husband of the complainant while petitioner no.2 is motherinlaw and petitioners no. 3 and 4 are "Nanad" and her son. It has been argued by the learned counsel for the petitioners that a matrimonial dispute between the complainant and husband of the complainant (petitioner no.1) is going on due to which the other family members have also been roped in by the complainant in the aforesaid F.I.R.

We have gone through the contents of the F.I.R.

It comes out from the F.I.R. that certain disputes are going on between the parties from much before and this F.I.R. is the outcome of the same. At this juncture, we feel it proper to issue notice to opposite party no. 4 (complainant) for her appearance before this Court on 13th May, 2009. The petitioner no.1 shall also appear before this Court on 13th May, 2009 for taking consent whether the

matter may be sent to the Mediation Center or not.

List this petition on 13th May, 2009.

Till 13th May, 2009, the petitioners shall not be arrested in the aforesaid case crime number. However, the investigation shall go on and the petitioners shall cooperate in the investigation.