
(2009) 05 AHC CK 0753
In the Allahabad High Court

Seema Tripathi & Ors

APPELLANT

Vs

State of U.P.& Ors

RESPONDENT

Date of Decision : 22-05-2009

Acts Referred:

Citation : (2009) 05 AHC CK 0753

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 and 2.

Under challenge is FIR relating to Case Crime No. 1118 of 2009, under Sections 498A, 323, 504 and 506 IPC read with Section 3/4 Dowry Prohibition Act, Police Station Kotwali Shahar, district Hardoi.

It has been argued by the learned counsel for the petitioners and also comes out from the FIR and other documents annexed hereto that it is a matrimonial dispute between husband and wife (Rajnesh Tripathi petitioner no. 7 and Smt. Shuchi Tripathi respondent no. 3). It has been further argued that although dispute is between the complainant and her husband i.e. respondent no. 3 and petitioner no. 7, but entire family has been roped in. It is submitted by the learned counsel for the petitioners that the matter may be 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. Shuchi Tripathi respondent no. 3 to appear before this Court on 24th 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, Rajnesh Tripathi petitioner no. 7 shall also appear before this Court.

List this case on 24th July 2009.

Till 24th July 2009, the petitioners shall not be arrested in the aforesaid crime number, provided they deposit Rs. 10,000=00 (rupees ten 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. 8,000=00 (rupees eight thousand) shall be paid to Smt Shuchi Tripathi 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.