
(2013) 03 AHC CK 0192
In the Allahabad High Court

Sheikh Shah Alam and Others

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 21-03-2013

Acts Referred:

Citation : (2013) 03 AHC CK 0192

Hon'ble Judges : Ravindra Singh, J and Anil Kumar Agarwal, J

Final Decision : Disposed Of

Judgement

Anil Kumar Agarwal, J.

1. Heard learned counsel for the petitioners and learned A.G.A.
2. This petition has been filed by the petitioners with a prayer to quash the FIR of case crime No. 43 of 2013 under sections 498A, 323, 504, 506 IPC and section 3/4 D.P. Act P.S. Manda, District Allahabad.
3. From the perusal of the FIR it appears that on the basis of allegation made therein the prima facie cognizable offence is made out. There is no scope of interfering in the FIR. Therefore, the prayer for quashing the FIR is refused.
4. However, considering the arguments made by learned counsel for the petitioners that both the parties are ready to settle the dispute through mediation, it is directed that in case the both the parties approach the I.O. within 30 days from today for settling the dispute through mediation, the I.O. shall proceed further so that the dispute may be settled through mediation. Till then the petitioners shall not be arrested in the above mentioned case crime. In case both the parties do not approach the I.O. within the aforesaid period, it shall be open for the I.O. to make arrest of the petitioners.
5. It is further directed that in case the petitioners appear before the court concerned within 30 days from today and apply for bail, the same shall be heard and disposed of by the courts below in view of Smt. Amrawati and another Vs. State of U.P. 2005 Cr.L.J. 755 which has been approved by the Hon'ble Apex

Court in Lal Kamlendra Pratap Singh Versus State of U.P reported in 2009(4) S.C.C. 437.

6. With this direction, this petition is finally disposed of.