

(2011) 06 AHC CK 0152
In the Allahabad High Court

Srikrishna Awasthi & Others

APPELLANT

Vs

State of U.P., Thru.Prin.Secy.,Home & Others

RESPONDENT

Date of Decision : 29-06-2011

Acts Referred:

Citation : (2011) 06 AHC CK 0152

Hon'ble Judges : Vedpal, J and Satyendra Singh Chauhan, J

Final Decision : Disposed Of

Judgement

Vedpal, J.—Heard learned counsel for the petitioners and learned AGA, who has accepted notice on behalf of opposite parties No.1, 2 & 3.

2. Under challenge in the instant writ petition is FIR relating to Case Crime No.1059 of 2011, under Sections 498A, 323, 506 IPC and Section 3/4 Dowry Prohibition Act, Police Station Gangaghat, District Unnao.

3. We have gone through the contents of the FIR.

4. It has been submitted by learned counsel for the petitioners that being a matrimonial dispute the matter may very well be resolved by the parties if the same is forwarded/referred to the Mediation and Conciliation Centre of this Court. We also feel that if a chance is taken by sending the matter to the Mediation Centre of this Court, the parties may settle the dispute amicably.

5. Accordingly, let notice be issued to opposite party no.5Smt. Anju Awasthi through the Chief Judicial Magistrate, Unnao for her appearance before this Court on 01.08.2011. She shall apprise the Court as to whether she is agreeable for sending the matter to the Mediation Centre of this Court or not.

6. Petitioner no.3Ashish Awasthi is also directed to appear before this Court on the next date of listing.

List on 01.08.2011.

7. Till 01.08.2011, the petitioners shall not be arrested in the aforesaid case

crime number, provided petitioner no.3, who happens to be the husband of opposite party no.5, deposits an amount of Rs.15,000/ (Rupees fifteen thousand) in this Court within ten days from today out of which Rs.12,000/ (Rupees twelve thousand) shall be paid to opposite party no.5 on her appearance before the Mediation Centre, if she agrees for mediation, and remaining amount of Rs.3,000/ (Rupees three thousand) shall be deposited in the account of Mediation and Conciliation Centre of this Court.

8. It is clarified that if petitioner no.3 fails to deposit the aforesaid amount within the time stipulated above, the benefit of this order shall not be made available to the petitioners.