

Court No. - 12

Case :- APPLICATION U/S 482 No. - 9346 of 2023

Applicant :- Asheesh Singh Alias Asheesh Singh Chauhan And 3 Others

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko. And 2 Others

Counsel for Applicant :- Saubhagya Mishra, Abhishek Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh, J.

1. Case called out. None appears on behalf of the applicants to press the application.

Heard learned A.G.A. for the State.

2. On 26.09.2023, following order was passed.

"1. Heard learned counsel for the applicants, learned A.G.A. for the State and perused the record.

2. Present application has been filed by the applicants for quashing the charge sheet dated 22.02.2021 in Case Crime No.3/2021 under Section 498A, 323 and 506 I.P.C. and 3/4 of D.P. Act, P.S.- Akhand Nagar, District- Sultanpur as well as summoning order dated 09.04.2021 passed by Additional Civil Judge/Judicial Magistrate, Court No.29, Sultanpur in Case No.888 of 2022.

3. Learned counsel for the applicants submitted that the prosecution is a result of some matrimonial dispute as marriage of applicant no.1 was solemnized with respondent no.3 on 02.03.2016 and due to some trivial matrimonial issues, F.I.R. of case in question was lodged by respondent no.2 (father of respondent no.3). He further submitted that there might be possibility of settlement of dispute if the matter be referred to Mediation and Conciliation Centre of this Court.

4. Learned A.G.A. does not dispute this fact that the prosecution is a result of some matrimonial dispute and he has no objection on the matter being referred to the Mediation and Conciliation Centre of this Court.

5. Considering the submissions of learned counsel for the parties, going through the contents of application as well as other relevant documents, as it is evident that the prosecution is a result of some matrimonial dispute, therefore matter requires consideration.

6. List this case on 20.11.2023.

7. Issue notice to private respondents returnable at an early date.

8. On the next date, applicant no.1 and respondent no.3 shall appear in person before this Court.

9. Applicant is directed to deposit Rs.25,000/- (Twenty five

thousand rupees) before the Senior Registrar of this Court within a period of ten days from today.

10. No coercive steps be taken against the applicant till the next date of listing.

11. In case, the aforesaid amount is not deposited within the stipulated time, the interim protection will not be available to the applicants."

3. Office vide report dated 31.10.2023, has reported that steps are not filed by the learned counsel for the applicants. It is also evident from the record that the applicants were also directed to deposit Rs.25,000/- before the Senior Registrar of this Court within a period of 10 days from the date of the order, but the same has also not been complied with.

4. In view of above facts and circumstances, it is evident that the applicants, after obtaining interim protection, have deliberately flouted the directions of this Court. The present application is liable to be dismissed and is hereby dismissed. Interim order is hereby vacated.

5. Office is directed to communicate this order to the court below, forthwith.

Trial court is also directed to proceed with the matter in accordance with law.

Order Date :- 20.11.2023

VKS