

Court No. - 13

Case :- APPLICATION U/S 482 No. - 8229 of 2024

Applicant :- Manoj Kumar And Others

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt. Lko. And Another

Counsel for Applicant :- Ajay Kumar Ojha,Prabhat Kumar Mishra,Prabhat Kumar Ojha

Counsel for Opposite Party :- G.A.,Ram Singh,Shraddha Tripathi

Hon'ble Rajeev Singh,J.

On 10.12.2024 the following order was passed:

"1. On 17.09.2024, following order was passed:

"Heard.

The present application has been filed by the applicants for following main relief:

"to quash the entire proceedings of the Criminal Case No. 3886 of 2015 "State Versus Manoj Kumar Tiwari" arising out of charge sheet No. 171 of 2008 dated 02.08.2008 in pursuance of Case Crime No. 216 of 2008 Under Section 498A I.P.C. and Section 3/4 of D.P. Act, Police Station- Lalganj, District- Pratapgarh pending in the Court of Learned Civil Judge (Junior Division) /F.T.C.-I, Pratapgarh (contained in Annexure No.1), in the interest of justice."

It is stated by learned Counsel for the applicants that the dispute which is matrimonial dispute could be settled and decided amicably by way of mediation. To show the bona fide, it is stated that the applicants would deposit Rs. 35,000/- before the Mediation and Conciliation Centre of this Court within two weeks from today.

Considering the submissions advanced by the learned counsel appearing for the applicants including that dispute between the parties can be settled amicably by way of mediation, this Court finds that the matter requires consideration.

Issue notice to the opposite party no. 2. Steps to be taken within a week.

Taking note of the aforesaid, let the matter be placed before Mediation and Conciliation Centre of this Court on 21.10.2024. The applicants shall deposit an amount of Rs. 35,000/- before the Mediation and Conciliation Centre of this Court within two weeks from today, which shall be released in favour of the opposite party No. 2.

List/put up this case before this Court on 10.12.2024 as fresh along with mediation report.

Till the next date of listing, the proceedings in issue against the applicants shall be kept in abeyance.

In case, the amount aforesaid is not deposited by the applicants within the specified time, the interim protection granted by this Court shall not be available to applicants. "

2. Learned counsel for the private respondent informed that aforesaid order has not been complied with by the applicants, therefore, the interim protection granted to them may be vacated.

3. Learned counsel for the applicants requested for one week's time for ensuring compliance of the aforesaid order.

4. The prayer made is allowed.

5. List this case on 19.12.2024 at 11:30 AM.

6. Impugned order granted earlier is extended till the next date of listing.

7. In case, the order dated 17.09.2024 is not complied with within the stipulated time, then the interim protection shall be vacated automatically."

2. Today, petitioner Manoj Kumar as well as counsel for the private respondent are present.

3. The counsel for the private respondent informs that in the year 2015 the victim had committed suicide.

4. Thereafter, specific question was asked from the petitioner no. 1 that why this fact was not disclosed earlier, he informed that this fact was narrated to his counsel, but the same could not be mentioned in the petition.

5. At this stage, learned counsel for the applicant does not want to press this petition.

6. Accordingly, this petition is dismissed as withdrawn.

(Rajeev Singh, J.)

Order Date :- 19.12.2024

A.Nigam