HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 1752 of 2025

Virendra Dubey

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Shad Khan
Counsel for Respondent(s)	:	G.A., Prashant Pandey

Court No. - 47

HON'BLE RAJEEV MISRA, J.
HON'BLE DR. AJAY KUMAR-II, J.

Case called out in revised list.

Even though the names of Mr. Shad Khan is duly published in the cause list as counsel for petitioner but neither he nor anyone on his behalf is present to press this writ petition.

Learned A.G.A. for State/respondents and Mr. Prashant Pandey, the learned counsel for first informant/respondent-4 are present.

Perused the record.

Present writ petition came up for admission on 31.1.2025, and this Court passed the following order:

"1. Heard learned counsel for the petitioner as well as learned A.G.A. for the State and perused the record.

2. The quintessence of the contentions raised by the learned counsel for the petitioner is that property dispute is in the genesis of this case. There are chances of amicable settlement between the parties. Petitioner's counsel strenuously urged that this case may be referred to the Mediation Centre of this Court so that the litigants may have a chance to settle their dispute on their own terms through mediation.

3. The Court is satisfied on the basis of record and the submissions made before it that the nature of litigation is such that the chances to resolve the matter through process of conciliation do exist and an attempt ought to be made to explore that possibility.

4. Accordingly, the matter is being referred to the Mediation and

Conciliation Centre, High Court, Allahabad. The petitioner will deposit Rs. 15,000/- within four weeks at the Mediation Centre. In case the amount is deposited, the Mediation Centre will issue notices to both the parties returnable within a period of two weeks. Out of the same Rs.12,000/- will be paid to respondent no.4 to meet out the expenses. The mediator is allowed two months' time to find out possible solution of the dispute between the parties and send his report to the court regarding the outcome of mediation.

5. List this case before the appropriate Bench along with report of the mediator on 04.04.2025.

6. Till then, the petitioner shall not be arrested in pursuance of the impugned F.I.R. dated 12.10.2024 arising out of Case Crime No.0161 of 2024, under Sections 420, 504, 506 IPC, Police Station-Chetganj, District-Chetganj Kashi (Commissionerate Varanasi), provided the petitioners file the receipt of deposit of amount as directed above along with the present order.

7. It is made clear that in case of default in depositing the amount as ordered above or on non-participation of the petitioner in the mediation proceedings, the interim stay order shall stand automatically vacated.

8. This case shall not be treated as tied up or part heard with this Bench. "

Pursuant to above order dated 5.4.2025, the matter was referred to Mediation and Conciliation Center, High Court, Allahabad. Accordingly, Mediation and Conciliation Center, High Court, Allahabad has submitted it's report dated 5.3.2025, stating therein that in compliance of above order dated 31.1.2025, petitioner has not made requisite deposit with the Mediation and Conciliation Center, High Court, Allahabad.

Since petitioner has failed to comply with the order dated 31.1.2025, we are of the view that present writ petition be dismissed.

It is accordingly dismissed.

Interim order, if any, shall stand vacated.

October 27, 2026
Arshad

(Dr. Ajay Kumar-II,J.) (Rajeev Misra,J.)

Digitally signed by :-
ARSHAD MAHMOOD
High Court of Judicature at Allahabad