HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 2180 of 2026

Rahul

.....Revisionist(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Revisionist(s)	:	Abhishek Chauhan, Shyama Charan Tripathi
Counsel for Opposite Party(s)	:	G.A., Narayan Swaroop

Court No. - 83

HON'BLE PRAVEEN KUMAR GIRI, J.

1. Learned counsel for the revisionist submits that vide order dated 07.04.2026, this Court referred the matter to the Mediation and Conciliation Centre of this Court. For ready reference, the order dated 07.04.2026 is delineated below:-

> *"1. Heard Sri Sumant Kumar Tiwari, Advocate holding brief of Sri Abhishek Chauhan, learned counsel for the revisionist.*
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> *2. Learned counsel for the revisionist submits that the revisionist has preferred the instant criminal revision with the relief which has been mentioned in the prayer clause. The relief which has been mentioned in the revision is delineated below:-*
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> > *"It is, therefore, most respectfully prayed that this Hon'ble Court may kindly be pleased to allow the instant Criminal Revision and set aside the impugned judgment and order dated 30.1.2026 Passed by Principal Judge, Family Court, Kasganj in Criminal Misc. Case No. 634 of 2022 (Smt. Priyanka and others Vs. Rahul) under section-125 Cr.P.C. police Station-Kasganj District-Kasganj.*
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> > *It is further prayed that this Hon'ble Court may graciously be pleased to stay the effect and operation of impugned order dated 30.1.2026 Passed by Principal Judge, Family Court, Kasganj in Criminal Misc. Case No. 634 of 2022 (Smt. Priyanka and others Vs. Rahul) under section-125 Cr.P.C. police Station-Kasganj District-Kasganj."*
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> *3. Learned counsel for the revisionist further submits that the revisionist/husband wants to settle the dispute with his wife, as there is ample chance of settlement between the parties if the matter is referred to the Mediation and Conciliation Centre of this Court. He further submits that the revisionist (husband) is ready to deposit 50% of the total amount of arrears of maintenance before the Principal Judge, Family Court, Kasganj within two weeks, i.e., on or before 22.04.2026 for the purpose of initiation of the mediation proceedings and he also undertakes that in case*

revisionist fails to deposit the amount of arrears of maintenance, revisionist shall pay 6% simple bank interest on the amount of arrears, which shall be payable to the wife.

4. As soon as the amount of 50% of arrears of maintenance from the date of application is deposited by the revisionist in the account of the Principal Judge, the said amount shall be released to the wife/opposite party No.2 at the earliest possible.

5. In view of the aforesaid submission of learned counsel for the revisionist as well as in the interest of justice, this matter is referred to the Mediation and Conciliation Centre of this Court. The revisionist is directed to deposit 50% of the total amount of arrears of maintenance before the Principal Judge, Family Court, Kasganj within two weeks, i.e. on or before 22.04.2026. The monthly maintenance amount shall also be paid regularly to the wife and children.

6. Upon production of receipt in respect of deposit of the said amount by the revisionist, the Mediation and Conciliation Centre is directed to issue notice to O.P. No.2 fixing a date, on which date both the parties shall appear before the Mediation and Conciliation Centre. In case, the parties do not arrive at any conclusion, another date would be fixed and thereafter, mediation report shall be submitted before this Court, i.e., on or before 10.08.2026.

7. In case of breach of the aforesaid conditions, the amount which accrues as arrears shall be recovered with 6% interest as a money decree.

8. In case the revisionist fails to deposit the amount, he may be sent to civil prison for 30 days, thereafter, his property shall be attached and auctioned to pay the amount of arrears of maintenance with 6% bank interest as well as maintenance amount on monthly basis.

9. List this case on 10.08.2026 along with the mediation report."

2. In compliance with the aforesaid order, both the parties appeared before the Mediation and Conciliation Centre of this Court and amicably resolved their dispute. In view of the terms and conditions contained in the mediation report submitted by the learned Mediator dated 19.09.2026, the dispute between the parties stands amicably settled. For ready reference, the settlement arrived at between the parties as mentioned in the mediation report dated 19.09.2026 is delineated below:-

"7. In view of the Interim Settlement Agreement dated 22.08.2026, the following settlement has been arrived at between the Parties hereto:-

a) That both the parties have agreed to live separately and mutually settled to dissolve their relationship as husband and wife and in this regard they have filed a joint petition under Section 13-B of the Hindu Marriage Act before the court of learned Principal Judge, Family Court, Kasganj which is registered as Case No. 489/2026 (Priyanka and Rahul). The parties undertake to produce the certified copy of the divorce

petition before the Hon'ble Allahabad High Court at the time of hearing.

b) That it has been agreed between the parties that they shall not resile from the aforesaid petition in any manner whatsoever and shall take it to its logical conclusion without creating any impediment in its free flow to it logical conclusion.

c) That it has been agreed between the parties that the husband shall pay an amount of Rs.8,50,000/- (Rs. Eight Lakh Fifty Thousand only) to the wife towards permanent alimony including Stridhan and all her other financial claims. The said agreed amount shall be paid by the husband to the wife by way of demand draft in two installments.

d) That after receiving the aforesaid agreed amount the wife shall not be entitled to claim any further maintenance of any nature whatsoever against the husband and his family members in future under any Act or law in any manner whatsoever nor she stake claim in the movable or immovable property of the husband or his family members.

e) That on 22.08.2026, at the time of interim Settlement Agreement, the husband produced a demand draft towards first installment of the aforesaid agreed amount before the Mediation Centre, bearing demand draft no.981935 dated 19.08.2026 for Rs.3,00,000/- (Rs. Three Lakh only) drawn on Kotak Mahindra Bank issued in the name of Priyanka (wife) which was kept on record and today the same has been handed over to the wife who ensures the receipt of the same.

f) That both the parties agree that in case, the wife fails to appear and give her consent in the second motion of the petition under Section 13-B of the Hindu Marriage Act, she agrees to return the amount of Rs.3.00.000/- (Rs. Three Lakh ouly) received by her at the time of final settlement agreement before the Mediation Centre, to the husband along with current market rate of interest and if the husband fails to appear and give his consent in the second notion of the petition under Section 13-B of the Hindu Marriage Act, the amount i.e. Rs.3,00,000/- (Rs. Three Lakh only) so given by him to the wife shall be forfeited in her favour.

g) That both the parties have agreed that the second and last installment amount ie. Rs.5,50,000/- (Rs. Five Lakh Fifty Thousand only) of the aforesaid agreed permanent alimony amount, shall be paid by the husband to the wife before the Principal Judge, Family Court, Kasganj at the time of final judgment in Case No. 489/2026 (Priyanka and Rahul) by way of demand draft.

h) That apart from the aforesaid agreed permanent alimony amount i.e. Rs.8,50,000/-(Rs. Eight Lakh Fifty Thousand only), both the parties have also agreed that the revisionist husband shall create a fixed deposit receipt in a nationalized bank

amounting Rs. 2,50,000/- (Rs. Two Lakh Fifty Thousand) and Rs. 2,50,000/- (Rs. Two Lakh Fifty Thousand) respectively in the name of Mehak Dubey (daughter) and Sagar (son) for securing the future of their children. The said FDRs of Rs. 2,50,000/- (Rs. Two Lakh Fifty Thousand) each in the name of Mehak Dubey (daughter) and Sagar (son) shall also be submitted by the revisionist at the time of final decree before the learned Principal Judge, Family Court, Kasganj.

i) That both the parties agree and undertake thaty they shall withdraw their respective cases filed by them against each other or their family members regarding the instant matrimonial dispute, in terms of this settlement within a period of two months from today as well and in case the party initiating the litigation does not do so the other party shall have a right to file an application for withdrawal/setting aside or quashing of the said proceedings without any objection from the party initiating the litigation.

j) That in case of breach/ violation or willful or deliberate disobedience or default, the party breaching or committing default shall be liable for contempt proceedings or any other appropriate proceedings and the aggrieved party shall be entitled for status quo anti in every possible legal way.

k) That parties agrees that they shall not litigate with regard to their present matrimony in future and it shall be opened for them to remarry after passing of the Decree of Divorce."

3. In view of the settlement arrived at between the parties and the terms and conditions contained in the mediation report, this Court, in the interest of justice, is of the view that the impugned order dated 31.1.2026 deserves to be quashed and is quashed.

4. Accordingly, the revision is allowed of in terms of the settlement arrived at between the parties before the Mediation and Conciliation Centre of this Court.

5. The learned trial court is directed not to proceed with the execution of the impugned judgment and order dated 30.1.2026 passed by Principal Judge, Family Court, Kasganj in Criminal Misc. Case No. 634 of 2022 (Smt. Priyanka and others Vs. Rahul) under section-125 Cr.P.C. police Station-Kasganj District-Kasganj, in view of the settlement arrived at between the parties.

(Praveen Kumar Giri,J.)

November 2, 2026
DKS

Digitally signed by :-
DEEPAK KUMAR SRIVASTWA
High Court of Judicature at Allahabad