2026:AHC:210506-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 8289 of 2025

Ravi Khare And 5 Others

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Sushil Dubey
Counsel for Respondent(s)	:	Firoz Ahmad Khan, G.A., Javed Alam

Court No. - 47

HON'BLE RAJEEV MISRA, J.
HON'BLE JAI KRISHNA UPADHYAY, J.

1. Heard Mr. Sushil Dubey, learned counsel for petitioners, learned AGA representing state-respondents 1, 2, and Mr. Firoz Ahmad Khan, learned counsel representing first informant respondent 3 - Smt. Shalini.

2. Perused the record.

3. Petitioner Ravi Khare and 5 others have approached this Court by means of present criminal miscellaneous writ petition challenging the impugned FIR dated 07.03.2025 lodged by first informant respondent 3, Smt. Shalini, and registered as Case Crime Number No. 134 of 2025, under Section 85, 115(2), 351(3) BNS and 3/4 Dowry Prohibition Act, Police Station - Sadar Bazar, District - City (Commissionerate Agra).

4. Present writ petition came up for admission on 29.04.2025, and this Court passed the following order:

"1. Heard learned counsel for the petitioners and the learned A.G.A.

2. The petitioners, by means of this writ petition under Article 226 of the Constitution of India, has invoked the jurisdiction of this Court with prayer to quash the impugned First Information Report dated 07.03.2025 registered as Case Crime No. 134 of 2025 under Sections 85, 115 (2), 351 (3) BNS and 3/4 Dowry Prohibition Act, P.S. Sadar Bazar, Distt. City (Commissionerate Agra) and for a direction to the respondents not to arrest the petitioners in pursuance of impugned First Information Report.

3. It is contended that matrimonial dispute is involved in the present matter. The impugned FIR has been lodged totally on false allegations just to harass the petitioners. The entire family members have also been implicated with fabricated story just to create pressure. However, it is submitted that still there is ample chance of mediation and as such the matter may be referred to the Mediation and Conciliation Centre of this Court.

4. Issue notice to the opposite party no.3, returnable at an early date. Steps may be taken within a week.

5. Taking into account the statement of learned counsel for the petitioners, it is directed that the petitioners shall deposit a sum of Rs.15,000/- within three weeks from today with the Mediation Centre of this Court, out of which Rs.10,000/- shall be paid to respondent no.3 for her appearance before the Mediation Centre and Rs.5000/- shall go to the Mediation Centre as mediation fee.

6. The matter is remitted to the Mediation Centre with the direction that after deposit of such amount, by the petitioners, it shall issue notice to the parties fixing some date for mediation and shall make all possible efforts to conclude the mediation and conciliation proceedings expeditiously, preferably within a period of three months.

7. List after expiry of aforesaid period before the appropriate Bench along with the report of Mediation Centre.

8. Till the next date of listing, the respondents are restrained to arrest the petitioners in the above mentioned case.

9. It is made clear that in case there occurs default by the petitioners either in depositing the amount or in appearing before the Mediation Centre on the date fixed, the interim order shall cease to operate and the Mediation Centre shall immediately communicate with the office which in turn shall list the case within a week before the appropriate Bench for passing orders in the matter".

5. Pursuant to above order dated 29.04.2025, the requisite deposit was made with the Mediation and Conciliation Centre, High Court, Allahabad. Accordingly, notice was issued by the Mediation and Conciliation Centre, High Court Allahabad to first informant respondent 3, pursuant to which, parties appeared before Mediation and Conciliation Centre, High Court Allahabad. Fortunately, the parties arrived at a settlement. Therefore, settlement agreement dated 24.08.2025 was arrived at by Mediation and Conciliation Centre. The same reads as under:

This SETTLEMENT AGREEMENT entered into on 24.08.2025, between Ravi Khare (Petitioner No.1-Husband) and Smt. Shalini (Respondent No.3-wife).
WHEREAS

1. Disputes and differences had arisen between the Parties hereto and Criminal Mise. Writ Petition (CRLP) No. 8289 of 2025 was filed before the Hon'ble High Court.

2. The matter was referred to mediation/ conciliation vide order dated 29.04.2025 passed by the Bench of Hon'ble Mahesh Chandra Tripathi, J. and Hon'ble Anil Kumar-X,J.

3. The parties agreed that Mr. Chandrajeet Yadav and Ms. Ekta Kaur, Advocates

would act as their Conciliator/ Mediator, in the Mediation Case No. 2459/2025.

4. Several joint and separate meetings were held during the process of Conciliation/Mediation on 22-06-2025, 29-06-2025, 03-08-2025 and 24-08-2025 and the parties have with the assistance of the Mediator/ Conciliator voluntarily arrived at an amicable solution resolving the above-mentioned disputes and differences.

5. That the marriage between Ravi Khare (Petitioner No.1-Husband) and Smt. Shalini (Respondent No.3-wife) was solemnized on 14.02.2024. Out of their aforesaid wedlock, the parties have no issue. Due to certain disputes, the parties were living separately since 12.12.2024 and in pursuance of the interim agreement dated 29.06.2025 both the parties are living together as husband and wife since 06.07.2025.

6. The parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this Settlement-Agreement in the presence of the Mediators/Conciliators.

7. In view of the Interim Settlement dated 29.06.2025, the following Settlement has been arrived at between the Parties in hereto:-

a. That interim settlement dated 29.06.2025 shall form a part of this Settlement and it shall be read together in consonance with the interim settlement.

b. That in view of the interim settlement, the parties are living together as husband and wife since 06.07.2025 and today both the parties appeared and stated that they are living together as husband and wife in perfect harmony forgetting all previous disputes and differences and they undertake to discharge all matrimonial obligations towards each other in respectful manner and undertake not to commit any kind of cruelty against each other.

c. That the husband and wife undertake that they shall not take any such action which may hurt either of the party mentally or physically and shall try to satisfy each othe by their activities.

d. That the husband undertakes to take care of his wife and shall provide all essentia requirements and amenities to her in future.

e. That the parties further stated that they are satisfied with this reunion and furthe they want to continue it for the rest of their lives.

f. That it has been agreed between the parties that there will be no interference of th relatives of either of the party in their peaceful

g. That it has been further agreed between the parties that all the case (civil and

criminal), if any, pending between the parties in any Sub-ordinate Court regarding the present matrimonial disputes shall also be withdrawn by the parties concerned by taking appropriate steps in view of this Settlement-Agreement.

h. That it has been further agreed between the parties that they shall not file any fresh case/litigation against each other regarding the present matrimonial dispute.

8. By signing this Agreement the Parties hereto state that the Criminal Misc. Writ Petition (CRLP) No. 8289 of 2025 and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of Conciliation/Mediation.

9. That this Settlement had been read over and explained to the parties in Hindi in presence of their respective counsels, thereafter, they have signed the Settlement."

6. In view of above, Mediation Centre has submitted its report dated 06.10.2026 stating therein that the parties have arrived at a settlement.

7. Mr. Sushil Kumar Dubey, learned counsel for petitioners, in support of present writ petition, submits that since the parties have now arrived at a settlement and have agreed to live together, therefore, the matrimonial dispute, if any, between the parties has now come to an end.

8. On the above premise, he therefore submits that no useful purpose can be said to be in existence so as to further continue the criminal prosecution of petitioners pursuant to the impugned FIR. It is submitted by learned counsel for petitioner that in view of aforesaid subsequent development, the impugned FIR is liable to be quashed by this Court.

9. Learned AGA representing state-respondents 1 and 2 and the learned counsel representing first informant respondent 3 do not oppose the submission urged by learned counsel for petitioners in support of present writ petition as noted hereinabove.

10. Learned AGA representing state-respondents submits that the dispute between the parties is basically a private or matrimonial dispute. Once the parties have amicably settled their dispute outside the court and further, the dispute being private in nature, and not a crime against state or society, therefore, in such a circumstance, he cannot have any objection in case the present writ petition is decided by this Court in terms of the settlement agreement arrived at between the parties.

11. On the other hand, the learned counsel representing first informant respondent 3 submits that once the first informant respondent 3 has herself entered into a compromise with the accused-petitioner, then she cannot have any objection in case the present writ petition is decided by this Court in the light of the terms of the compromise so entered into by the parties.

12. Be that as it may, having heard the learned counsel for petitioners, the learned AGA representing state-respondents, the learned counsel representing first informant, and upon perusal of record, we find that the dispute between the parties is basically a matrimonial or a private dispute. Offence complained of is not a crime against state or society, therefore, there does not exist any legal impediment in accepting the settlement or compromise entered into by the parties.

13. In view of the settlement arrived at between the parties, in case the criminal prosecution of petitioners is allowed to continue, the same shall result in loss of public time and money. For all the reasons noted above, and considering the fact that the parties are now living a happy family life, we do not find any justification to sustain the FIR.

14. As a result, the present writ petition succeeds and is **allowed.** The impugned FIR dated 07.03.2025 lodged by first informant respondent 3 registered as Case Crime Number No. 134 of 2025, under Section 85, 115(2), 351(3) BNS and 3/4 Dowry Prohibition Act, Police Station - Sadar Bazar, District - City (Commissionerate Agra) is quashed. The writ petition stands **allowed.**

October 7, 2026
S.K.S.

(Jai Krishna Upadhyay,J.) (Rajeev Misra,J.)

Digitally signed by :-
SUNIL KUMAR SINGH
High Court of Judicature at Allahabad