HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 11176 of 2025

Kamal Yadav And 8 Others

.....Petitioner(s)

Versus

State Of Up And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ayank Mishra, Shiv Karan
Counsel for Respondent(s)	:	G.A., Gauri Shankar Yadav, Shiv Kumar Kesari

Court No. - 47

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

1. Case is called out in revised list.

2. Even though the names of Mr. Ayank Mishra and Mr. Shiv Karan are duly published in the cause list as counsel for petitioners, however, neither they nor anyone on their behalf is present to press the present writ petition, even in revised call.

3. Learned A.G.A. representing State/respondents 1, 2 and 3 is present.

4. Perused the record.

5. Petitioners- Kamal Yadav and eight others Others have approached this Court by means of present criminal misc. writ petition challenging the FIR dated 10.05.2025 lodged by first informant/ respondent-4, Kajal Yadav and registered as Case Crime No. 215 of 2025, under Sections 115(2), 109, 85, 82(1) BNS and Section 3/4 Dowry Prohibition Act, Police Station Sector 113 NOIDA, District Gautam Budh Nagar.

6. Present writ petition came up for admission on 29.05.2025, and this Court passed the following order:

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

2. The petitioners, by means of this writ petition under Article 226 of the Constitution of India, has invoked the inherent jurisdiction of this Court with prayer to quash the impugned First Information Report dated 10.05.2025 registered as Case Crime No.215 of 2025 under Sections 115(2), 109, 85, 82(1) and Section 3/4 of D.P. Act 1961, P.S. Sector-113, District Gautam Budh Nagar.

3. It is submitted by learned counsel for the petitioners that the present matter relates to matrimonial/trivial dispute, which may be amicably settled by way of mediation and

conciliation. Learned counsel for the petitioners states that there is every possibility of mediation in the present case, therefore, the matter may be referred to the Mediation and Conciliation Centre of this Court.

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

5. In view of the above, it is directed that petitioners shall deposit a sum of Rs.50,000/- within ten days from today with the Mediation Centre of this Court out of which Rs.45,000/- shall be paid to the opposite party no.4, on the date fixed, for her appearance before the Mediation Centre and Rs. 5000/- shall be retained by 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, no coercive action shall be taken against 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."

7. Pursuant to above order dated 29.05.2025, the parties appeared before the Mediation and Conciliation Centre, High Court, Allahabad for settling their dispute in an amicable manner outside the Court. However, no settlement could be arrived at between the parties. A report to this effect dated 01.08.2025 has been submitted by the Mediation and Conciliation Centre, High Court, Allahabad and is also on record. Subsequently, vide order dated 22.09.2025, this Court vacated the interim order and allowed the investigation to go on. Since prima facie, upon perusal of the FIR, commission of a cognizable offense is disclosed, therefore, we are not inclined to entertain the present writ petition.

8. In view of above, present writ petition fails and is liable to be **dismissed**.

9. It is accordingly dismissed.

10. Interim order, if any, shall stand vacated.

October 8, 2026
Monika

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

Digitally signed by :-
MONIKA KESARWANI
High Court of Judicature at Allahabad