

Smt. Laxmi Devi and Others Vs. State of U.P. and Another

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Court : Allahabad

Decided On : Jan-04-2013

Judge : Bala Krishna Narayana

Appeal No. : Application No. 256 of 2013

Appellant : Smt. Laxmi Devi and Others

Respondent : State of U.P. and Another

Judgement :

Heard learned counsel for the applicants, learned A.G.A. for the State and perused the record.

The applicants through this application under Section 482 Cr.P.C. have invoked the inherent jurisdiction of this Court with a prayer to quash the entire proceedings of Complaint Case No. 1475 of 2012 (Smt. Jyoti Vs. Manoj and others), under Sections 498-A, 323, 506 I.P.C. and 3/4 of D.P. Act, P.S.-Sihani Gate, District-Ghaziabad pending in the court of Special Judicial Magistrate (Central Bureau of Investigation), Ghaziabad.

Learned counsel for the applicants submitted that the present matter relates to a matrimonial dispute between husband and wife and the said matter can be well considered by Mediation and Conciliation Centre.

In view of the above, this application is disposed of finally with liberty to the applicants to move an application before the court below within thirty days from today with the prayer for referring the dispute between the parties to the concerned Mediation and Conciliation Centre. In case any such application is moved by the applicants before the court below within the time as indicated hereinabove, the court concerned shall pass appropriate order thereon after obtaining the consent of the complainant-opposite party no. 2. In case the opposite party no. 2 consents to the matter being settled through the process of Mediation, the court below shall refer the same to the concerned Mediation and Conciliation Centre subject to such terms and conditions as it deems proper.

For a period of thirty days from today, no coercive action shall be taken against the applicants to enable them to move the court concerned for getting the dispute between the parties settled through the process of mediation. In case the applicants fail to move any such application before the court concerned within the time indicated hereinabove, this application shall stand dismissed automatically.

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