

Sardar Navpreet Singh and ors. Vs.

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Court : Allahabad

Decided On : Sep-22-2010

Judge : Shri Kant Tripathi,J.

Acts : Code of Criminal Procedure (CrPC) - Section 482; Indian Penal Code (IPC) - Sections 498-A, 323, 324, 504, 506; Dowry Prohibition Act - 3, 4.

Appeal No. : APPLICATION U/S 482 No. - 29530 of 2010.

Appellant : Sardar Navpreet Singh and ors.

Respondent : State of Uttar Pradesh (U.P.) anr.

Advocate for Pet/Ap. : K.K.Tripathi, Adv.

Judgement :

1. Learned counsel for the applicant submitted that the matter was referred to the High Court Mediation Centre by a Division Bench of this Court vide its order dated 17.02.2010, in Crl. Misc. Writ Petition No. 2655 of 2010, but the mediation has yet not concluded and the writ petition, after submission of the charge-sheet, has become in fructuous. It is being again pressed for referring the matter to the Mediation Centre.

2. The petitioners (Sardar Navpreet Singh, Smt. Acharaj Kaur, Sasrdar Amarjeet Singh, Parmindar Singh @ Rikki, Daljeet Singh @ Sanni & Smt. Jasvinder Kaur @ Bholi) have filed this petition under section 482 of the Code of Criminal Procedure for quashing the proceedings of Case No. 7044 of 2010 (State vs. Sardar

Navpreet Singh & others) under sections 498-A, 323, 324, 504 and 506 IPC and 3/4 of the Dowry Prohibition Act, police station Chakeri, District Kanpur Nagar, pending in the court of Chief Metropolitan Magistrate Kanpur Nagar.

3. The dispute is between the husband and wife. Considering the circumstance that relationship between husband and wife may not further undergo any bitterness, the matter may be considered for settlement by process of mediation.

4. The counsel for the petitioners states that the petitioners are ready for settling the dispute by mediation and are willing to deposit a sum of Rs. 8000/- (Rs. Eight Thousand only) towards maintenances and expenses of the wife (victim) for appearing before the Mediation Centre.

5. Notice on behalf of the State of U.P. and State officials has been accepted by the AGA. Issue notice to respondent no. 2 by registered post. List for admission after service upon the private respondent.

6. In the meantime, no coercive process shall be issued and executed against the petitioners.

7. The question of referring the case to the Mediation Centre will be considered after service upon the private respondent. It is made clear that in case the private respondent agrees for referring the case to the Mediation Centre then it will be referred to the Mediation Centre and the stay order will be further continued only if the petitioners deposit the Bank Draft at least of the aforesaid amount in favour of the wife (victim).

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