



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

APPLICATION U/S 482 No. - 9091 of 2025

Ashwani Kumar And 2 Others

.....Applicant(s)

Versus

The State Of U.P. Thru. The Prin. Secy. Home
Lko. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Anurag Arora
Counsel for Opposite Party(s)	:	G.A., Mohd.Rizwan

Court No. - 16

HON'BLE SHREE PRAKASH SINGH, J.

Case called out.

No one is present for the applicants, whereas learned counsel for the opposite parties no. 2 to 4 is present.

From perusal of the records, it transpires that the matter was referred to the Mediation and Conciliation Centre of this court, whereafter Mediator's report dated 16-01-2026 is apparent that the mediation has been failed because the parties were not willing for mediation.

The instant application has been filed with the prayer to quash the summoning order dated 10-03-2025, Annexure No.01, passed in Criminal Case No. 33/33/25 by learned Special Chief Judicial Magistrate, Lucknow and also to quash the chargesheet dated 19-10-2024, allegedly filed against the applicants in respect of Case Crime No. 267 of 2024, U/s 498-A, 323,504,506 of the I.P.C. and section 3/4 of the Dowry Prohibition Act, Police Station-Gazipur, district-Lucknow.

This court finds that the applicant no. 1, Ashwani Kumar is husband and this court finds no good ground to intervene so far as the applicant no. 1 is concerned. Thus, the present application at the behest of applicant no. 1 is hereby dismissed with liberty to the applicant no. 1 to move an application for bail before the court concerned, who in turn, shall consider and decide the same

considering the law laid down by the Hon'ble Apex Court rendered in the case of **Satender Kumar Antil versus Central Bureau of Investigation and another (2022)10 SCC 51**.

This court finds that the applicant nos. 2 & 3 are the father-in-law and mother-in-law having 72 and 63 years of age and there is no specific allegation of demand of dowry or subjecting to cruelty against them. Thus, the case of the applicant nos. 2 & 3 is covered with the ratio of Judgment of the Apex Court in the case of **Geeta Mehrotra Vs State of U.P. and Others**, reported in **2012(10) ADJ 464** and **Kahkashan Kausar alias Sonam and Others Vs State of Bihar and Others**, reported in **(2022) 6 SCC 599**.

Let Counter Affidavit be filed by the State within three weeks.

Rejoinder Affidavit, if any, may be filed within one week thereafter.

List this matter after expiry of the aforesaid period.

Till the next date of listing, the proceedings in Criminal Case No. 33/33/25 by learned Special Chief Judicial Magistrate, Lucknow and also to quash the chargesheet dated 19-10-2024, allegedly filed against the applicants in respect of Case Crime No. 267 of 2024, U/s 498-A, 323,504,506 of the I.P.C. and section 3/4 of the Dowry Prohibition Act, Police Station-Gazipur, district-Lucknow, shall remain stayed so far as the applicant nos. 2 & 3 are concerned.

(Shree Prakash Singh,J.)

April 9, 2026
AKS