



2025:UHC:9972

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL
THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA
12TH NOVEMBER, 2025
CRIMINAL MISCELLANEOUS APPLICATION NO. 1976 OF 2025

Smt. Amita Chauhan ... Applicant
Versus
State of Uttarakhand and Another Respondents

Counsel for the Applicant : Mr. Rajat Mittal, Advocate.
Counsel for the Respondent : Mr. Akshay Latwal, Assistant
No.1 Government Advocate.
Counsel for the Respondent : Ms. Poonam Rauthan, Advocate
No. 2

Hon'ble Alok Kumar Verma,J.

This Application has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing the entire proceedings of Special Sessions Trial No. 144 of 2023, "State Vs. Amita Chauhan", pending before the Fast Track Court / Special Judge (POCSO)/ Additional Sessions Judge, Dehradun under Sections 342, 504, 506, 120B of the Indian Penal Code, 1860 (in short, "IPC"), Section 16 read with Section 17 of the Protection of Children from Sexual Offences Act, 2012 (in short, "Act, 2012").

2. Mr. Rajat Mittal, learned counsel for the applicant-accused.

3. Mr. Akshay Latwal, learned Assistant Government Advocate for the respondent no.1.

4. Ms. Poonam Rauthan, learned counsel for the respondent no. 2-victim.



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5. The applicant and the respondent no.2 are present through video conferencing. The applicant is identified by Mr. Rajat Mittal, Advocate. The respondent no.2 is identified by Ms. Poonam Rauthan, Advocate.

6. According to the prosecution, the victim, the respondent no.2, had gone to buy goods on 06.05.2023. She did not come back her house. One charge-sheet was filed against co-accused and one charge-sheet was filed against the present applicant.

7. The case against co-accused (Special Sessions Trial No.110 of 2023, under Sections 363, 366A, 376, 504, 506, 342, 120B IPC and Section 5(j)(ii) read with Section 6 of the Act, 2012) has been quashed by the coordinate Bench of this Court on 25.04.2024 in C482 No. 722 of 2024.

8. The respondent no.2 has submitted that before lodging of the First Information Report, she married to the co-accused and a female child was born on 01.08.2023 out of their wedlock. Applicant is her mother-in-law. She (victim) is living well and happily with her husband and her daughter in her in-laws' house. She does not want any action against her mother-in-law.

9. The applicant and the respondent no.2 have submitted that they have filed a Compounding Application (IA No.01 of 2025) and affidavits with their free will and without any pressure. The respondent no.2 has requested



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to quash the entire proceedings of Special Sessions Trial No. 144 of 2023.

10. The said request has not been opposed by the respondent no.1-State.

11. It is noticed that the applicant and the victim got married and they are living happily with their child. In these circumstances, in case, the proceedings are allowed to continue, it would amount to denial of complete justice to the parties. Therefore, it is a case, in which the inherent jurisdiction of this Court should be exercised to do real and substantial justice.

12. Considering the totality of the matter, this Court is of the view that ends of justice would be met if the entire proceedings of Special Sessions Trial No. 144 of 2023, "State Vs. Amita Chauhan", pending before the Fast Track Court / Special Judge (POCSO)/ Additional Sessions Judge, Dehradun, are quashed.

13. Resultantly, the present Application, filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is allowed and the entire proceedings of Special Sessions Trial No. 144 of 2023, "State Vs. Amita Chauhan", pending before the Fast Track Court / Special Judge (POCSO)/ Additional Sessions Judge, Dehradun, are hereby quashed.

ALOK KUMAR VERMA, J.

Date: 12.11.2025
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