

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	UKHC010149552026  2026:UHC:7667 COURT'S OR JUDGE'S ORDERS
			<u>C528/1868/2026</u> Vinod Chandra Arya Alias Vikki And Ors --Applicants Versus State Of Uttarakhand --Respondents <u>Hon'ble Rakesh Thapliyal, J.</u> Mrs. Manju Bahuguna, learned counsel for the applicants. 2. Mrs. Meenakshi Sharma, learned AGA for the State. 3. Mr. J.P. Pandey, learned counsel for respondent no.2. 4. The instant petition is preferred under Section 528 of BNSS, 2023 by the present applicants-Vinod Chandra Arya alias Vikki, Smt. Kamla Devi and Smt. Champa alongwith the compounding application with the affidavits of applicants and respondent no.2 for quashing of the proceeding of Criminal Case No.1913 of 2024 Pooja Arya vs. Vinod Chandra Arya alias Vikki and others pending in the court of learned Judicial Magistr, Second, Haldwani, District Nainital wherein the applicants have been summoned to face the trial for the offences punishable under Sections 323, 498-A, 504 and 506 of IPC read with Section 3/4 of Dowry Prohibition Act. 5. All the applicants and respondent no.2 are present in the Court and identified by their counsel.

		6. The dispute is nothing but a matrimonial dispute in between the applicant no.1 and respondent no.2, who married in the year 2024 and only for twenty days they lived together and thereafter they lived separately. 7. It is contended by learned counsel for the applicants that both the parties have resolved their matrimonial dispute amicably to get divorce by way of mutual consent and towards permanent alimony Rs.4,00,000/- lakhs is agreed to be paid, out of which Rs.1,00,000/- lakhs is already paid. It is submitted that divorce petition is already filed alongwith the compounding application in which first motion is already completed and for second motion 09.09.2026 is fixed. The applicant no.1 undertakes that on the date of second motion the remaining amount of Rs.3,00,000/- lakhs towards permanent alimony will also be paid to respondent no.2. 8. On the other side, learned AGA submits that since the dispute appears to be matrimonial one in which now the parties have settled their dispute, therefore, in such an eventuality when the parties have decided to get permanent separation by way of seeking divorce through mutual consent, there is no useful purpose to continue with the proceeding. The proceeding, which is being challenged i.e. Criminal Case No.1913 of 2024 Pooja Arya vs. Vinod Chandra Arya alias Vikki and others wherein the applicants have been summoned to face the trial for the offences punishable under Sections 323, 498-A, 504 and 506 of IPC read with Section 3/4 of Dowry Prohibition Act, which is pending
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			in the court of learned Judicial Magistrate, Second, Haldwani, District Nainital. 8. Since now the parties have resolved their matrimonial dispute to get permanent separation by way of seeking divorce by way of mutual consent and the divorce petition is already filed wherein the first motion is already competed and second motion is fixed for 09.09.2026, therefore, this Court is of the view that there is no useful purpose to continue the proceeding under challenge. Consequently, the instant C528 application as well as compounding application are allowed. The entire proceeding of Criminal Case No.1913 of 2024 Pooja Arya vs. Vinod Chandra Arya alias Vikki and others pending in the court of learned Judicial Magistrate, Second, Haldwani, District Nainital is hereby quashed. (Rakesh Thapliyal, J.) 24.08.2026 Arti
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