

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS UKHC010183412024  2026:UHC:7376
			<u>UKHC010183412024</u> <u>C528/830/2024</u> Toseef Raza Ansari & others --Applicants Versus State of Uttarakhand & another --Respondents <u>Hon'ble Rakesh Thapliyal, J.</u> Ms. Sheetal Selwal, learned counsel for the applicants. 2. Mr. Himanshu Sain, learned AGA, for the State of Uttarakhand/1. 3. Mr. Sunny Kumar, learned counsel for the respondent no.2. 4. The instant petition has been moved by the applicants - Toseef Raza Ansari, Mohd. Israr and Zareena Begum, under Section 528 of BNSS, 2023 for quashing of the entire proceedings of the Session Trial No.43 of 2024, "State Vs. Israr and others" pending in the court of Judicial Magistrate 1st Haldwani, District Nainital, wherein, the present applicants have been summoned to face the trial for the offences punishable under Sections 313, 323, 498-A of IPC and under Section 3 of the Dowry Prohibition Act, 1961. 5. The petition is filed along with compounding application (IA No.3/2026) with the affidavit of the applicants and the respondent no.2. Applicants and respondent no.2 are present in Court and are duly identified by their respective counsels. The dispute appears to be matrimonial one and the applicant no.1 married with the respondent no.2 but due to some matrimonial dispute they are living separately and now both of them decided to live separately by taking divorce by way of mutual consent and it is also agreed that a sum of Rs.2.00 lacs will be paid by the applicant no.1 to the respondent no.2 towards permanent alimony, and the jewellery and other articles shall also be handed over to the respondent no.2. Applicant no.1 apprised to this Court that all the jewellery and other

		articles including the amount of Rs.2.00 lacs towards permanent alimony are in the custody of the Mediator. The respondent no.2/complainant is also present in Court and also submits that she is now decided to live separately and she is well educated and will focus on her career and with regard to alimony she is agreed. She also submitted that she has full trust on the Mediator with whom the amount towards permanent alimony and other articles have been handed-over. It is also submitted by the learned counsel for the parties that since the parties have settled their matrimonial dispute, there is no useful purpose to continue the proceedings. 6. Learned AGA submits that since now the dispute appears to be matrimonial one, which now they have settled through amicable settlement, therefore, the continuation of the proceedings is completely a futile exercise. 7. After hearing the submissions of the learned counsel for the parties and taking into consideration that since the parties have settled their dispute amicably, which was arising out of the matrimonial discord in between the applicant no.1 and respondent no.2/wife, which has now been settled to get divorce by way of mutual consent, there is no useful purpose to continue the proceedings. 8. In such view of the matter, the instant C528 application as well as the compounding application are allowed, and the entire proceeding of Session Trial No.43 of 2024, "State Vs. Israr and others" pending in the court of Judicial Magistrate 1st Haldwani, District Nainital, is hereby quashed. (Rakesh Thapliyal, J.) 17.08.2026 Nitesh/
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