SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			C528/834/2026 Abdul Rehman .....Applicant **Versus** State Of Uttarakhand .....Respondent With **C528/392/2025** Nafisa Begum .....Applicant **Versus** State Of Uttarakhand .....Respondent **Hon'ble Alok Mahra, J.** Mr. M.K. Goyal, learned counsel for the applicant through Video Conferencing. 2. Mr. Rakesh Joshi, learned A.G.A. and Mr. Manoj Bhatt, learned Brief Holder for the State. 3. Mr. Pawan Mishra, learned counsel for respondent no.2. 4. Both the present C-528 applications arise out of the same criminal proceedings and involve common questions of fact and law. Since the parties in both applications are connected with the same matrimonial dispute and the relief sought is also identical, both applications are being heard and decided together by this common order. 5. Learned counsel for the applicant would submit that the dispute giving rise to the present applications emanates from matrimonial discord between the parties. C-528 Application No. 834 of 2026 has been filed by the husband of respondent no. 2, whereas C-528 Application No. 392 of 2025

has been filed by the mother-in-law of respondent no. 2. Learned counsel for the applicants would submit that, owing to certain matrimonial differences, respondent no. 2 lodged a complaint against the applicants, pursuant to which, after investigation, the police submitted a chargesheet against both the applicants for the offences punishable under Sections 498-A and 323 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act. The learned trial court took cognizance of the aforesaid offences and summoned the applicants to face trial.

6. By means of the present applications, the applicants seek quashing of the chargesheet, summoning/cognizance order dated 24.12.2024 passed by the learned 6th Additional Civil Judge (Senior Division)/Additional Chief Judicial Magistrate, Dehradun, in Criminal Case No. 9599 of 2024, as well as the entire proceedings of the aforesaid criminal case, pending before the said court.

7. Learned counsel for the applicants would submit that, during the pendency of the proceedings, the applicants and respondent no. 2 have amicably resolved their matrimonial dispute and have mutually agreed not to pursue the criminal proceedings any further. It is further submitted that applicant no. 3, Abdul Rehman, and respondent no. 2, being husband and wife, have mutually decided to dissolve their matrimonial relationship and live separately; that, in this regard, they have entered into a written settlement agreement and have also filed a joint

			compounding application along with their respective affidavits. 8. It is further submitted that, in terms of the settlement agreement, applicant Abdul Rehman has agreed to pay a sum of ₹10,00,000/- to respondent no. 2 towards permanent alimony. Out of the aforesaid amount, a demand draft of ₹5,00,000/- has already been handed over to respondent no. 2, while the remaining amount of ₹5,00,000/- shall be paid in two instalments, i.e., ₹2,50,000/- at the time of the first motion and the remaining ₹2,50,000/- at the time of the second motion of the divorce proceedings under the Uniform Civil Code (UCC). It has further been agreed between the parties that all cases instituted by them against each other shall be withdrawn in accordance with law and that neither party shall raise any further claim or allegation against the other in respect of the disputes so settled. Learned counsel would further submit that applicant Abdul Rehman is presently residing in Dubai and, therefore, his mother, who is the applicant in C-528 Application No. 392 of 2025, is holding a power of attorney on his behalf to pursue the present case. 9. The applicant in C-528 No.392 of 2025 and respondent no. 2 are present in person before this Court and have been duly identified by their respective counsel. Upon interaction with the parties, respondent no. 2 has affirmed the terms and conditions of the settlement agreement and categorically stated that the compromise has been entered into

			voluntarily, without any pressure, coercion or undue influence. She has further acknowledged receipt of 5,00,000/- from applicant Abdul Rehman towards the agreed permanent alimony and expressed her willingness not to pursue the criminal proceedings any further. 10. Learned State counsel would oppose the applications on the ground that the offences alleged against the applicants are non-compoundable in nature. However, he does not dispute the factum of settlement arrived at between the parties or the filing of the joint compounding applications. 12. Heard learned counsel for the parties and perused the material available on record. 13. From the material available on record, it transpires that the criminal proceedings in question have arisen out of matrimonial discord between the parties. It further transpires that the parties have amicably settled their disputes and have mutually decided to part ways and live separately. The husband and wife are present before this Court and have been duly identified by their respective counsel. Upon interaction, respondent no. 2 has unequivocally affirmed the settlement agreement and expressed her desire not to pursue the criminal proceedings against the applicants. The settlement agreement also records the terms regarding payment of permanent alimony and withdrawal of the cases instituted by the parties against each other. A joint compounding application, supported by the affidavits of the parties,

			has also been placed on record. 14. Although the offences alleged against the applicants are non-compoundable in nature, the inherent jurisdiction of this Court under Section 528 of the B.N.S.S., is distinct from the statutory power of compounding offences. This Court, in exercise of its inherent powers, may quash criminal proceedings arising out of matrimonial disputes where the parties have amicably settled their differences, provided that the nature of the offences, the circumstances of the case and the genuineness of the settlement justify such exercise of jurisdiction. 15. The Hon'ble Supreme Court in Gian Singh vs. State of Punjab, (2012) 10 SCC 303, and Narinder Singh vs. State of Punjab, (2014) 6 SCC 466, has laid down the principles governing the exercise of inherent jurisdiction for quashing criminal proceedings on the basis of a settlement, even in cases involving non-compoundable offences. It has been held that, in appropriate cases involving predominantly private or matrimonial disputes, the proceedings may be quashed where the possibility of conviction is remote and continuation of the criminal proceedings would not serve any meaningful purpose. 16. In the facts and circumstances of the present case, this Court finds that the dispute is essentially matrimonial in nature and the parties have voluntarily resolved their differences. Respondent no. 2, who is the complainant and the wife of applicant Abdul Rehman, is present before this Court

and has expressly consented to the settlement and stated that she does not wish to pursue the criminal proceedings any further. The settlement appears to be voluntary, genuine and free from any coercion or undue influence. Having regard to the nature of the dispute and the settlement arrived at between the parties, this Court is of the considered view that the continuation of the criminal proceedings would serve no fruitful purpose and would rather amount to an abuse of the process of the Court. It is, therefore, a fit case for exercise of the inherent jurisdiction of this Court under Section 528 of the B.N.S.S., to secure the ends of justice.

17. Accordingly, both the C-528 applications are allowed. Consequently, the chargesheet, summoning/cognizance order dated 24.12.2024 passed by the learned 6th Additional Civil Judge (Senior Division)/Additional Chief Judicial Magistrate, Dehradun, in Criminal Case No. 9599 of 2024, as well as the entire proceedings of the aforesaid criminal case, pending before the said court, are hereby quashed *qua* the applicants.

18. The joint compounding applications (IA Nos. 1 and 4 of 2026) stand disposed of accordingly.

19. Pending applications, if any, also stand disposed of.

MAMTA RANI

(Alok Mahra, J.)
31.10.2026

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Digitally signed by MAMTA RANI
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