SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			C528/2104/2026 Shamshad Husain And Others --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Avidit Noliyal, learned counsel for the applicants. 2. Ms. Pushpa Bhatt, learned Addl. Advocate General along with Mr. S.C. Dumka, learned A.G.A. and Mr. Nikhil Bisht, learned Brief Holder for the State. 3. Mr. Vishal Vikram Singh, learned counsel for respondent no.2. 4. Present C-528 application has been filed seeking quashing of the chargesheet, summoning order dated 26.09.2025 passed by learned Civil Judge J.D./Judicial Magistrate, Bazpur, District Udham Singh Nagar in Criminal Case No. 448 of 2025 under Sections 498-A & 506 I.P.C. and Section 3/4 of the Dowry Prohibition Act (F.I.R. No.0098 of 2025) as well as the entire proceedings of the aforesaid criminal case. 5. Learned counsel for the applicant would submit that the present case arises out of matrimonial discord; that

			applicant no.3 and respondent no.2 are husband and wife and other applicants are the family members of applicant no.3. Due to certain matrimonial disputes between them, respondent no.2 lodged a complaint against the applicants; that, pursuant thereto, after completion of investigation, the Investigating Officer submitted the charge-sheet against the applicants, on which the learned trial court took cognizance. 6. Learned counsel for the applicants would submit that the applicants and respondent no. 2/complainant have amicably resolved their dispute and do not wish to pursue the criminal proceedings any further. He would further submit that applicant no. 3 and respondent no. 2, being husband and wife, have decided to live separately and have executed an agreement in this regard. Therefore, respondent no. 2 does not wish to pursue the present proceedings against the applicants. In support of the aforesaid submissions, a joint compounding application (IA No. 1 of 2026), along with the affidavits of the applicants and respondent no. 2/complainant, has been filed, stating that respondent no. 2 does not wish to prosecute the applicants any further. 7. The applicant and respondent no. 2/complainant are present in person before the Court and have been duly identified by their respective counsel.

			Upon interaction with the Court, both the applicant/husband and respondent no. 2 have stated that they have decided to live separately and have executed an agreement to this effect. Respondent no. 2 has further submitted that the dispute has been amicably settled between the parties and that she does not wish to pursue the criminal proceedings against the applicants any further. 8. Learned State Counsel opposes the application, on the ground that the allegations include the offences which are non-compoundable in nature. However, does not dispute the factum of compromise between the parties or the filing of the joint compounding application. 9. Heard learned counsel for the parties and perused the record. 10. From the material brought on record, it transpires that the dispute between the applicants and respondent no. 2 has arisen out of matrimonial discord. The parties, who are husband and wife, are present before this Court and have been duly identified by their respective counsel. Upon interaction, both have unequivocally stated that they have amicably resolved their differences and are now residing separately from each other. A joint compounding application (IA No. 1 of 2026), supported by their respective affidavits, has also been filed wherein respondent no. 3 has categorically stated that she does not

			wish to pursue the criminal proceedings against the applicants. 11. Although the offences alleged against the applicants are non-compoundable, it is well settled that in matrimonial disputes, where the parties have amicably settled their differences and mutually decided to live separately, this Court, in exercise of its inherent jurisdiction under Section 482 Cr.P.C./Section 528 of the B.N.S.S., may quash the criminal proceedings to secure the ends of justice and prevent abuse of the process of the Court. The Hon'ble Supreme Court in 11. *Gian Singh vs. State of Punjab* (2012) 10 SCC 303 and *Narinder Singh vs. State of Punjab* (2014) 6 SCC 466 has held that criminal proceedings arising out of matrimonial disputes can be quashed on the basis of compromise, even if the offences are non-compoundable, provided the Court is satisfied that the compromise is genuine and the continuation of proceedings would be an exercise in futility. 12. In the present case, this Court is satisfied that the compromise between the parties is voluntary, genuine and without any coercion. The complainant herself does not wish to prosecute the applicant any further. In the present case, this Court is satisfied that the compromise between the parties is voluntary, genuine and without any coercion, therefore, no fruitful purpose

would be served to keep the criminal proceedings pending against the applicants.

14. In view of the aforesaid facts and circumstances, as well as the law laid down by the Hon'ble Apex Court, this Court finds that it is a fit case to exercise inherent powers to secure the ends of justice.

15. Accordingly, the compounding application (IA No. 1 of 2026) is allowed. The chargesheet, summoning order dated 26.09.2025 in Criminal Case No. 448 of 2025 pending in the court of learned Civil Judge J.D./Judicial Magistrate, Bazpur, District Udham Singh Nagar as well as the entire proceedings of the aforesaid criminal case are hereby quashed the applicant.

16. The present C-528 application stands allowed accordingly.

17. Pending applications, if any, shall stand disposed of accordingly.

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MAMTA RANI

Digitally signed by MAMTA RANI
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(Alok Mahra, J.)
27.10.2026