SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPCRL/2167/2026 Girdhari Lal Sahu Alias Pappu Girdhari --Petitioner **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. M.S. Pal, Mr. Rajendra Dobhal and Mr. Arvind Vashistha, Senior Advocates assisted by Mr. Ramji Shrivastava and Mr. Nishant Krishna Adhikari, Advocates for the petitioner. Mr. Amit Bhatt, learned Government Advocate, Mr. Amrendra Pratap, Additional Advocate General and Mr. Kuldeep S. Rawal, learned A.G.A. for the State of Uttarakhand. Mr. Sandeep Kothari, learned counsel for respondent no. 3. 2. This writ petition has been filed by the petitioner for quashing the F.I.R./ Case Crime No.0158 of 2026, under Sections under Sections 120-B, 323, 420, 467, 468, 471, 495, 498-A, 504 and 506 I.P.C. and Sections 3(1)(द), 3(1)(ध) the Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Cantt. District Dehradun. Further prayer has been made not to arrest the petitioner, pursuant to the aforesaid F.I.R. 3. Facts of the case, in brief, are that respondent no.3 lodged an F.I.R. against the petitioner, alleging, inter alia, that she belongs to the Scheduled Caste community and her marriage with the petitioner was solemnized on 06.07.2004 in accordance with Hindu rites and customs. It is alleged that, at the time of marriage, the petitioner concealed the fact that he was already married and had children from his previous marriage. The said fact came to the knowledge of respondent no.3 after a few years of their marriage. However, considering the

			future of her children and upon being persuaded by her family members, she continued to reside with the petitioner. Subsequently, she came to know that the petitioner was maintaining illicit relationships with other women. When she objected to the same, the petitioner allegedly started physically assaulting and abusing her and also extended threats of dire consequences. It is further alleged that, on several occasions, the petitioner hurled derogatory and caste-related remarks against respondent no.3 in the presence of the staff posted at her official residence. It is also alleged that the petitioner, by forging her signatures and fabricating documents, falsely showed her to have retired from the post of Director of the company, despite the fact that she had neither submitted any resignation nor executed any such document. Further, respondent no.3 allegedly received an audio recording in which the petitioner was purportedly heard conversing with a woman and conspiring to eliminate her. Apprehending danger to her life and the safety of her minor children, respondent no.3 lodged the impugned F.I.R. 4. Learned Senior Advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the present case and has never intended to insult, humiliate or abuse respondent no.3 by making any caste-related or caste-indicative remarks. He submits that the marriage between the parties was solemnized in the year 2004 and they have been residing together as husband and wife for approximately 22 years, during which period no complaint alleging caste-based abuse or humiliation was ever made against the petitioner. Three children have been born out of the wedlock, which, according to learned Senior Advocate, demonstrates that the parties had been leading their matrimonial life together for a considerable period. It is further submitted that the petitioner was fully aware of the caste of respondent no.3 from the inception of their marriage and, therefore, there was no occasion for him to have made any caste-related remarks with an intention to humiliate her. Learned Senior Advocate contends that the allegations of caste-based abuse have been introduced after more than two decades of marriage, apparently with a view to giving a criminal

			colour to what is essentially a matrimonial dispute arising out of domestic differences between the parties. He, therefore, submits that continuation of the criminal proceedings would amount to an abuse of the process of law and the impugned F.I.R. deserves to be quashed. 5. Per contra, learned counsel appearing for respondent no.3 vehemently opposes the submissions advanced on behalf of the petitioner and submits that the allegations levelled in the F.I.R. disclose the commission of cognizable offences. It is contended that the petitioner has intentionally humiliated respondent no.3 by making derogatory remarks relating to her caste. In support of the allegations concerning the alleged conspiracy to eliminate respondent no.3, learned counsel has drawn the attention of this Court to the transcript of an audio recording purportedly containing the voice of the petitioner, wherein he is alleged to have stated, in substance, that respondent no.3 should be killed and that he would spend whatever amount of money might be required for the said purpose. It is submitted that the authenticity of the audio recording, identification of the voice, the circumstances in which the alleged conversation took place and the evidentiary value of the transcript are all matters which require investigation and appreciation of evidence during trial. Learned counsel further submits that the petitioner's attempt to portray the allegations as arising out of ordinary matrimonial discord is misconceived, particularly when the F.I.R. contains specific allegations of physical assault, caste-based humiliation, forgery and criminal intimidation. It is, therefore, contended that no ground for quashing the impugned F.I.R. is made out. 6. Learned Government Advocate appearing for the State also opposes the writ petition and submits that the petitioner is deliberately evading the process of law and is not cooperating with the investigating agency. It is contended that the conduct of the petitioner in avoiding investigation and failing to cooperate with the investigating agency disentitles him from claiming any discretionary or equitable relief from this Court. Learned Government Advocate, therefore, submits that the investigation ought to be permitted to proceed

			in accordance with law. 7. This Court has considered the rival submissions advanced by learned counsel for the parties and perused the material available on record. The principles governing the exercise of jurisdiction by the High Court for quashing an F.I.R. have been elaborately considered by the Hon'ble Supreme Court in State of Haryana and others Vs. Bhajan Lal and others, reported in 1992 Supp (1) SCC 335. The categories enumerated therein are illustrative and not exhaustive. The power of quashing is required to be exercised sparingly and with circumspection, and only in cases where the allegations, even if taken at their face value and accepted in their entirety, do not prima facie constitute any offence or where continuation of the criminal proceedings would otherwise amount to an abuse of the process of law. 8. The aforesaid principles have subsequently been reiterated by the Hon'ble Supreme Court in M/s Neeharika Infrastructure Pvt. Ltd. Vs. State of Maharashtra and others, reported in AIR 2021 SC 1918, wherein it has been emphasised that the High Court should ordinarily refrain from interfering with an investigation and should not embark upon an enquiry into the merits, reliability or genuineness of the allegations at the stage of considering a prayer for quashing of an F.I.R. 9. A perusal of the impugned F.I.R., which has been brought on record as Annexure No.1 to the writ petition, reveals that the allegations are not confined merely to matrimonial discord or differences between the parties. Apart from allegations of concealment of the petitioner's previous marriage, the F.I.R. contains specific allegations of physical assault, threats, use of caste-related derogatory expressions in the presence of other persons, alleged fabrication of documents and an alleged conspiracy to cause the death of respondent no.3. These allegations, taken cumulatively, cannot, at this preliminary stage, be brushed aside as mere matrimonial differences or ordinary domestic altercations. 10. The contention of learned Senior Advocate that the parties have remained married for approximately 22 years and that no

			complaint of caste-based humiliation was lodged during the earlier period of their matrimonial relationship, by itself, cannot be a ground to discard the allegations made in the impugned F.I.R. The mere fact that the parties continued their matrimonial relationship for a considerable period would not necessarily negate the possibility of subsequent acts of cruelty, intimidation or humiliation. Similarly, the fact that respondent no.3 was aware of the petitioner's alleged previous marriage at some point during their matrimonial relationship does not, by itself, render the other allegations levelled in the F.I.R. inherently improbable. Whether the alleged caste-related remarks were actually made, whether the same were uttered with the requisite intention or knowledge, and whether the statutory ingredients of the offences alleged under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, are attracted, would depend upon the precise words allegedly used, the place and circumstances in which they were uttered, the presence of witnesses and other relevant material collected during investigation. These are factual aspects which cannot appropriately be determined by this Court by undertaking a meticulous examination of the allegations in proceedings for quashing. 11. So far as the alleged audio recording is concerned, the petitioner cannot seek quashing of the F.I.R. merely by disputing its authenticity or the identity of the voice allegedly recorded therein. The genuineness of the recording, its source, the identity of the persons conversing, the context of the conversation and its admissibility and evidentiary value are matters which require appropriate investigation and, if necessary, examination during trial. 12. Further, the allegations regarding alleged forgery of respondent no.3's signatures and fabrication of documents to show her retirement from the post of Director of the company also constitute matters requiring investigation. The genuineness of the documents, the signatures appearing thereon, the person responsible for their preparation and use, and the circumstances in which the alleged documents came into existence are matters which cannot be adjudicated upon in the present proceedings. Furthermore, the

			complainant has reiterated the averments made in the FIR in her statement recorded under Section 180 BNSS. Moreover, one Arvind Gupta has stated that in his testimony recorded under Section 180 BNSS that on the behest of the petitioner, he prepared the resignation letter of respondent no. 3 and also the other documents relating to her relinquishment from the directorship of the firms. 13. It is well settled that the High Court, while exercising its jurisdiction for quashing an F.I.R., is not required to conduct a mini-trial or appreciate the evidence as to whether the allegations are ultimately likely to result in conviction. 14. In view of the foregoing discussion, this Court is of the considered opinion that the allegations contained in the impugned F.I.R., taken at their face value and accepted in their entirety, prima facie disclose the commission of cognizable offences. 15. Consequently, this Court does not find any good ground to interfere with the impugned F.I.R. The writ petition is devoid of merit and is, accordingly, dismissed. **(Alok Mahra, J.)** 03-11-2026 SHIKSHA SHUKLA