SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			UKHC010193362026 **C528/2402/2026** Piyush Singh And Others --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Rajat Mittal, Advocate for the applicants. Mr. Deepak Joshi, D.A.G. for the State of Uttarakhand. Mr. Ajay Joshi, Advocate for respondent no.2. 2. Present C-528 application is filed with the prayer to set-aside/quash the charge sheet dated 20.03.2020 as well as the entire proceedings of Sessions Trial No.2 of 2024 (earlier registered as Sessions Trial No. 11 of 2024), State Vs. Piyush Singh and Others, pending in the Court of learned II Additional District & Sessions Judge, Rishikesh, District Dehradun. 3. Compounding Application (IA No.1 of 2026) has also been filed in the matter. At the very outset, learned counsel for the applicants submits that he does not want to press the compounding application. Accordingly, the compounding application is dismissed, as not pressed. 4. Facts of the case, in brief, are that the complainant, who happens to be the father of the deceased, lodged an F.I.R. against the applicant no. 1, alleging, inter alia, that the deceased was continuously subjected to harassment and cruelty by the applicant no.1 and his family members in connection with an unlawful demand for dowry. It was further alleged that, on 19.01.2020, owing to the non-fulfilment of the said demand, the applicant no.1 and his family members killed the deceased, thereafter, attempted to portray the incident as a case of

			suicide. Pursuant to the F.I.R., an investigation was conducted, and the Investigating Officer submitted a charge-sheet against the present applicants. Thereafter, learned Magistrate took cognizance of the offence and summoned the applicants to face trial. Hence, the present Criminal Miscellaneous Application. 5. Learned counsel for the applicants submits that the complainant has been examined as P.W.2 and in his statement, he admitted the fact that no complaint was filed earlier by the complainant or the deceased in relation to demand of dowry by the applicant. Learned counsel further submits that the post-mortem report, as well as the statement of the doctor, indicates that the deceased died as a result of hanging and that no external injury was found on her person. It is contended that neither the inquest proceedings nor the post-mortem report discloses any injury consistent with the allegation that the deceased was strangulated to death. Learned counsel further submits that there is no cogent evidence on record to establish that the deceased was subjected to cruelty or harassment in connection with a demand for dowry soon before her death. It is also contended that the marriage between the applicant and the deceased was solemnized on 07.03.2018 and that no complaint regarding any demand for dowry or related harassment was ever lodged by the deceased or her family members against the applicant no.1 or his family members during the subsistence of the marriage. On these grounds, learned counsel submits that continuation of the criminal proceedings against the applicants would serve no useful purpose and would amount to an abuse of the process of law. 6. Per contra, learned State Counsel submits that the death of the deceased occurred within seven years of her marriage and, therefore, the provisions of Section 304-B of the Indian Penal Code are attracted. It is further submitted that the allegations made in the F.I.R. disclose the commission of a cognizable offence and that the proceedings initiated against the applicants do not warrant interference by this Court. 7. Heard learned counsel for the parties and perused the material available on record. Before proceeding further, it is apposite to refer to the judgment of the Hon'ble Supreme Court in Charan Singh v. State of Uttarakhand, reported in (2024) 13 SCC 649, wherein the Hon'ble

			Supreme Court reiterated that, for attracting the provisions of Section 304-B of the Indian Penal Code, the prosecution must establish that the death of a woman was caused by burns or bodily injury, or occurred otherwise than under normal circumstances, within seven years of her marriage, and that soon before her death she was subjected to cruelty or harassment by her husband or his relatives in connection with a demand for dowry. The requirement of cruelty or harassment soon before death is an essential ingredient of the offence and cannot be dispensed with merely because the death occurred within seven years of marriage. An unnatural death within the statutory period, by itself, is not sufficient to sustain a conviction under Section 304-B of the Indian Penal Code in the absence of the requisite evidence concerning dowry-related cruelty or harassment. 8. In the present case, the marriage between the applicant no.1 and the deceased was solemnized 07.03.2018 and the deceased died on 19.01.2020. Thus, the death occurred within seven years of the marriage. However, the mere fact that the death occurred within the aforesaid period does not, by itself, establish the commission of an offence under Section 304-B of the Indian Penal Code. The prosecution is also required to establish the foundational facts relating to cruelty or harassment in connection with a demand for dowry soon before the death of the deceased. The complainant, who is the father of the deceased and the informant in the present case, stated on oath that no complaint was filed earlier by deceased or the informant's family against the applicants with regard to demand of dowry or harassment of the deceased; further an affidavit in compounding application has been filed by informant denying the prosecution story. The other witnesses, as submitted by learned counsel for the applicants, have also not supported the prosecution case. Further, the material relied upon by the applicant, including the post-mortem report and the statement of the doctor, indicates that the cause of death was hanging and that no external injuries were found on the body of the deceased. 9. More importantly, upon consideration of

			the submissions advanced on behalf of the parties and the material placed before this Court, no specific and cogent material has been brought to the notice of the Court demonstrating that the deceased was subjected to cruelty or harassment in connection with a demand for dowry soon before her death. The mere fact that the death occurred within seven years of marriage cannot substitute the essential requirement of establishing a proximate link between the alleged dowry-related cruelty or harassment and the death of the deceased. To the contrary, the deceased was taken on vacation and other recreations by applicants one week before the deceased committed suicide. 10. In view of the foregoing discussion, particularly the absence of cogent material indicating that the deceased was subjected to cruelty or harassment in connection with a demand for dowry soon before her death, and having regard to the evidence placed on record concerning the cause of death and the testimony of the material witnesses, this Court is of the considered view that continuation of the proceedings against the applicants would not serve the ends of justice. The essential ingredients necessary to sustain the prosecution under Section 304-B of IPC and Section 3/4 of Dowry Prohibition Act are not borne out from the material placed before this Court. Accordingly, the case warrants interference in the exercise of the inherent jurisdiction of this Court. 11. Accordingly, the present Criminal Miscellaneous Application is allowed. Consequently, the entire proceedings of Sessions Trial No.2 of 2024 (earlier registered as Sessions Trial No. 11 of 2024), State Vs. Piyush Singh and Others, pending in the Court of learned II Additional District & Sessions Judge, Rishikesh, District Dehradun, are hereby quashed *qua* the applicants. **(Alok Mahra, J.)** 30.10.2026 Ujjwal