SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			C528/2570/2026 Anita Bhatnagar --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Pradeep Chamyal, learned counsel for the applicant. 2. Mr. Akshay Latwal, learned A.G.A. along with Mr. Jai Prakash Kanpdal, learned Brief Holder for the State. 3. Present C-528 application has been filed seeking quashing of the entire proceedings of Misc. Criminal Case No.127 of 2026, titled *'Smt. Vasudha Bhatnagar Vs. Anita Bhatnagar'*, initiated against the applicant under Section 340 of the Cr.P.C. (Section 379 of B.N.S.S.) pending before the learned Additional District and Sessions Judge-I, Dehradun. 4. Learned counsel for the applicant would submit that the dispute arises out of matrimonial discord between the parties; that, the applicant is the mother-in-law of respondent no.2; that, the marriage between the son of the applicant and respondent no.2 was solemnized on 06.12.2021, according to Hindu rites and rituals; that, due to certain matrimonial differences,

			respondent no.2 left her matrimonial home and started residing at her parental house, whereafter she did not return to her matrimonial home; that, respondent no.2 lodged an F.I.R. against her husband and the present applicant under Sections 323, 504 and 498-A of the I.P.C.; that, after completion of the investigation, the Investigating Officer submitted a charge-sheet against the applicant and her son, on the basis of which Criminal Case No.4001 of 2025 was registered by the learned trial court, and cognizance was taken against the applicant for the offence punishable under Section 498-A IPC, summoning her to face trial. 5. Learned counsel would further submit that, being aggrieved by the registration of the aforesaid criminal case, the applicant preferred a criminal revision before the competent court, which was subsequently dismissed as not pressed. It is contended that, immediately upon receiving notice of the criminal revision, respondent no.2 filed an application under Section 340 Cr.P.C./Section 379 BNSS against the applicant, alleging that the applicant had made false and concocted statements on oath in the criminal revision and, therefore, an inquiry was required to be conducted and appropriate action taken against her in accordance with law. 6. He would further submit that the applicant has already filed her

			objections/written reply to the said application; however, the proceedings in Misc. Criminal Case No.127 of 2026 have been initiated without appreciating that the essential requirements for invoking the jurisdiction under Section 340 Cr.P.C./Section 379 BNSS are not satisfied. He would contend that the criminal revision itself already stands disposed of as not pressed and no finding has been recorded by the revisional court regarding the alleged false statements; that, the application under Section 340 Cr.P.C./Section 379 BNSS has, therefore, been filed by respondent no.2 out of personal grudge and with mala fide intention to harass the applicant, therefore, impugned proceedings is liable to be quashed. 7. Per contra, learned State counsel would vehemently oppose the submissions advanced by learned counsel for the applicant and submit that the applicant has already filed her objections/reply to the application moved by respondent no.2 under Section 340 Cr.P.C. It is further contended that the learned court below has not yet passed any order on the said application and, therefore, the present C-528 application, at this stage, is premature and is not maintainable. 8. Heard learned counsel for the parties and perused the material available on record. 9. Having considered the submissions

advanced by learned counsel for the parties and upon perusal of the material available on record, it emerges that the application moved by respondent no.2 under Section 340 Cr.P.C./Section 379 BNSS is still pending consideration before the learned court below. The applicant has also filed her objections/reply to the said application, and no order, either allowing or rejecting the same, has been passed by the learned court below so far.

10. In these circumstances, this Court is of the considered view that the present C-528 application, seeking quashing of the proceedings at this preliminary stage, is premature. The applicant is at liberty to raise all the objections available to her in law before the learned court below, which shall consider the same in accordance with law, without being influenced by any observation made herein.

11. It is, however, left open to the applicant to avail appropriate legal remedies before this Court, if a fresh cause of action arises.

12. Accordingly, the present C-528 application stands disposed of as premature.

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

(Alok Mahra, J.)
20.11.2026

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