

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p>C528 No.912 of 2026  <b><u>Hon'ble Alok Mahra, J.</u></b></p> <p>Mr. Yogesh Upadhyay and Mr. Kaushal Sah Jagati, Advocates for the applicants.</p> <p>Mr. V.S. Pal, A.G.A. for the State of Uttarakhand.</p> <p>2. Learned counsel for the applicants submits that the daughter of applicant no.1 was married to respondent no.2 on 21.11.2024. However, soon after the marriage, matrimonial discord arose between the parties. It is contended that, on account of such disputes, the daughter of applicant no.1 approached the Mahila Helpline, Kashipur, where a mediation proceeding was conducted on 24.03.2025. It is further submitted that she also instituted proceedings under Section 144 of the B.N.S.S. as well as an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005 against respondent no.2. Learned counsel argues that the present F.I.R. has been lodged as a counterblast with an ulterior motive to circumvent and pressurize the applicants in the aforesaid proceedings. It is further submitted that, as per the prosecution case, the alleged incident is stated to have occurred on 09.03.2025. However, respondent no.2 initially filed an application under Section 175(3) of the B.N.S.S., alleging that despite lodging a complaint before the concerned police station, no F.I.R. was registered, pursuant to which the Magistrate directed registration of the F.I.R., which ultimately came to be registered on</p>

28.08.2025, after an inordinate and unexplained delay. Learned counsel for the applicants further submits that respondent no.2 had appeared before the Mahila Helpline in the mediation proceedings held on 24.03.2025, but at no point did he disclose the alleged incident dated 09.03.2025, which casts serious doubt on the veracity of the allegations. It is also contended that, although the F.I.R. alleges that the complainant sustained grievous injuries inflicted by sharp-edged weapons, lathis and sticks, no medical examination report or injury report has been brought on record either along with the complaint or with the application under Section 175(3) of the B.N.S.S., thereby rendering the prosecution story inherently improbable.

3. Issue notice to respondent no.2, returnable at an early date.

4. List the matter after receipt of the service report.

5. Considering the submissions advanced by learned counsel for the applicant, it is directed that, till the next date of listing, further proceedings of Criminal Case No.346 of 2026, pending before the Court of learned Chief Judicial Magistrate, Rudrapur, District Udham Singh Nagar, shall remain stayed.

**(Alok Mahra, J.)**

06.05.2026

*Arpan*