



2026:UHC:3473

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>C528/917/2026</u></p> <p><u>Hon'ble Alok Mahra, J.</u></p> <p>Mr. T.P.S. Takuli, learned counsel for the applicants.</p> <p>2. Ms. Pushpa Bhatt, learned Deputy A.G. along with Mr. S.C. Dumka, learned A.G.A. for the State.</p> <p>3. Mr. Shivam Singh Pargai, learned counsel for respondent no.2/complainant.</p> <p>4. Present C-528 application has been filed seeking quashing of the impugned chargesheet, cognizance/summoning order dated 06.05.2024 passed by the learned Judicial Magistrate 1st Haldwani, District Nainital in Criminal Case No.1540 of 2024, under Sections 323, 498-A, 504, 506 I.P.C. as well as the entire criminal proceedings of the aforesaid criminal case.</p> <p>5. Learned counsel for the applicants would submit that the dispute in question emanates from matrimonial discord between applicant no.1 (husband), applicant nos.2 & 3 are father-in-law and mother-in-law of respondent no.2. It is contended that due to certain matrimonial differences, respondent no.2 lodged an F.I.R. against the applicants; that, Investigating Officer after completion of investigation has submitted chargesheet, upon which, learned trial court has taken cognizance against the applicants under Sections 323, 498-A, 504 & 506 I.P.C..</p> <p>6. It is further submitted that with the</p>



		<p>intervention of respectable persons and family members, the parties have amicably resolved all their disputes. They have decided to dissolve their marriage by mutual consent and have filed petition under Section 27 of the Uniform Civil Code, Uttarakhand and as per the settlement the applicant no.1 will pay ₹4,50,000/- to respondent no.2 as full and final settlement.</p> <p>7. The applicants and respondent no.2 are present before the Court and have been duly identified by their respective counsel. On being interacted with, respondent no.2 has categorically stated that the compromise has been entered into voluntarily, without any coercion or undue influence; that, the applicant no.1 has paid ₹2 lacs out of settled amount ₹4,50,000/ and the applicant will pay the remaining amount at the time of second motion of the proceedings under Section 27 of the U.C.C.; that, she has no objection if the criminal proceedings in question are quashed.</p> <p>8. This Court has considered the submissions of learned counsel for the parties and perused the material available on record. The offences alleged are under Sections 323, 498-A, 504 & 506 I.P.C.. Though certain offences are non-compoundable under Section 320 Cr.P.C., the dispute admittedly arises out of a matrimonial relationship and is personal in nature, without any element of public interest or societal impact.</p> <p>9. The legal position with regard to quashing of criminal proceedings on the</p>
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			<p>basis of compromise is no longer <i>res integra</i>. In <i>Gian Singh v. State of Punjab</i>, the Hon'ble Supreme Court authoritatively held that the High Court, in exercise of its inherent powers under Section 482 Cr.P.C., can quash criminal proceedings even in respect of non-compoundable offences, where the dispute is essentially private and personal in nature and the parties have amicably settled the matter, provided that the offences do not have serious impact on society.</p> <p>10. In <i>Narinder Singh v. State of Punjab</i>, the Hon'ble Supreme Court laid down broad guidelines for quashing on the basis of compromise and observed that criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of matrimonial or family disputes, should be quashed when the parties have resolved their entire dispute, so as to secure the ends of justice.</p> <p>11. Further, in <i>State of Madhya Pradesh v. Laxmi Narayan</i>, the Hon'ble Supreme Court reiterated that criminal proceedings arising out of matrimonial disputes and family matters, which have been amicably settled, can be quashed in exercise of inherent jurisdiction, unless the offences are heinous and of serious mental depravity. More recently, in <i>Parbatbhai Aahir v. State of Gujarat</i>, the Hon'ble Supreme Court summarized the principles governing exercise of power under Section 482 Cr.P.C., holding that the High Court must evaluate whether continuation of proceedings would amount to abuse of the process of law and whether</p>
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quashing would secure the ends of justice.

12. In the present case, the allegations stem purely from matrimonial discord between the husband and wife. The parties have amicably settled their dispute; the first motion for mutual divorce has been filed; substantial part of the settled amount has already been paid; and respondent no.2 has unequivocally stated that she has no objection to quashing of the proceedings. There is no allegation of any heinous offence, nor is there any element affecting society at large. Continuation of criminal proceedings, in such circumstances, would serve no fruitful purpose.

13. In view of the settlement arrived at between the parties and in light of the law laid down by the Hon'ble Supreme Court in the aforesaid judgments, the compounding application is allowed. Consequently, the present C-528 application stands allowed. The impugned chargesheet, cognizance/summoning order dated 06.05.2024 passed by the learned Judicial Magistrate 1st Haldwani, District Nainital in Criminal Case No.1540 of 2024 as well as the entire criminal proceedings of the criminal case are hereby quashed in terms of the compromise arrived at between the parties.

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

(Alok Mahra, J.)

07.05.2026