



2026:UHC:3431

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>C528/920/2026</u></p> <p><u>Hon'ble Alok Mahra, J.</u></p> <p>Ms. Geestanjali Dhami, learned counsel for the applicant.</p> <p>2. Mr. Rakesh Josh and Mr. S.C. Dumka, learned A.G.A. for the State.</p> <p>3. Ms. Tanuja Joshi, learned counsel for respondent no.2.</p> <p>4. Present C-528 application has been filed seeking quashing of the entire criminal proceeding of Criminal Case No. 472 of 2025 under Section 323, 498-A, 504 & 506 I.P.C. pending in the court of learned Judicial Magistrate, Sitarganj, District Udham Singh Nagar.</p> <p>5. Learned counsel for the applicant would submit that the present case arises out of matrimonial discord; that applicant no.1 and respondent no.2 are husband and wife. Due to certain matrimonial disputes between them, respondent no.2 lodged a complaint under Sections 323, 498-A, 504 and 506 I.P.C. Pursuant thereto, after completion of investigation, the Investigating Officer submitted the charge-sheet against the applicant, on which the learned trial court took cognizance.</p> <p>6. Learned counsel for the applicant would submit that applicant and the complainant/respondent no. 2 have now amicably resolved their dispute and do not wish to pursue the criminal proceedings any further. In support thereof, a joint compounding application (IA No. 1 of 2026),</p>



along with affidavits of the applicant and the complainant/respondent no.2, has been filed stating that the complainant do not wish to prosecute the applicant.

7. The applicants and respondent no. 2/complainant are present in person and have been duly identified by their respective counsel. Upon interaction with the Court, both the applicant and respondent no. 2 have stated that they are now living together happily and are discharging their matrimonial obligations peacefully. They further submit that the dispute between them has been amicably settled, and respondent no. 2 does not wish to prosecute the applicant any further.

8. Learned State Counsel opposes the application, on the ground that the allegations include an offence under Section 498-A I.P.C., which is non-compoundable in nature. However, does not dispute the factum of compromise between the parties or the filing of the joint compounding application.

9. Heard learned counsel for the parties and perused the record.

10. From the material brought on record, it transpires that the dispute between the applicant and respondent no. 2 has arisen out of matrimonial discord. The parties, who are husband and wife, are present before this Court and have been duly identified by their respective counsel. Upon interaction, both have unequivocally stated that they have amicably resolved their differences and are now residing together peacefully. A joint compounding application (IA No. 1 of 2026), supported by their respective affidavits, has also been filed wherein respondent no. 2 has



categorically stated that she does not wish to pursue the criminal proceedings against the applicant.

11. Although the offence under Section 498-A I.P.C. is non-compoundable, it is well settled that in matrimonial disputes, where the parties have settled their differences amicably and are living together peacefully, the High Court, in exercise of its inherent jurisdiction under Section 482 Cr.P.C., may quash the criminal proceedings to secure the ends of justice and to prevent abuse of the process of the Court. The Hon'ble Supreme Court in 11. *Gian Singh vs. State of Punjab* (2012) 10 SCC 303 and *Narinder Singh vs. State of Punjab* (2014) 6 SCC 466 has held that criminal proceedings arising out of matrimonial disputes can be quashed on the basis of compromise, even if the offences are non-compoundable, provided the Court is satisfied that the compromise is genuine and the continuation of proceedings would be an exercise in futility.

12. In the present case, this Court is satisfied that the compromise between the parties is voluntary, genuine and without any coercion. The complainant herself does not wish to prosecute the applicant any further. The parties are living together happily and continuation of the criminal proceedings would only disturb their restored matrimonial harmony.

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14. In view of the aforesaid facts and circumstances, as well as the law laid down by the Hon'ble Apex Court, this Court finds that it is a fit case to exercise inherent powers to secure the ends of justice.

15. Accordingly, the compounding application (IA No. 1 of 2026) is allowed. The entire criminal proceeding of Criminal Case No. 472 of 2025 under Section 323, 498-A, 504 & 506 I.P.C. pending in the court of learned Judicial Magistrate, Sitarganj, District Udham Singh are hereby quashed the applicant.

16. The present C-528 application stands allowed accordingly.

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

(Alok Mahra J.)

06.05.2026

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