

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>14.07.2023</u>		C482 No. 1396 of 2023 <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. B.M. Pingal, Advocate, for the applicant. Mr. T.C. Aggarwal, Deputy Advocate General, for the State. The challenge in this C482 Application is to the proceedings of Criminal Case No. 199 of 2019, State Vs. Chaman Lal, where the applicant has been summoned to be tried for the offence under Section 498-A and 323 of IPC. The argument of the learned counsel for the applicant is that in a proceeding under Section 13 of the Hindu Marriage Act, as drawn by way of Suit No. 89 of 2019, Chaman Lal Vs. Smt. Saroj, the same has been decided by the judgment and decree dated 17.08.2021, as rendered by the learned Family Court, Tehri Garhwal, resulting into dissolving the marriage, which was solemnized between the parties on 18.06.2013. Hence, in fact, it has been argued by the learned counsel for the applicant that since there was no more subsistence relationship between the parties, continuation of the aforesaid criminal proceedings would be absolutely an act of futility, because the fact has also been placed on record that after the judgment dated 17.08.2021, the respondent No. 2 has

			already remarried someone else. Owing to the aforesaid facts, let the notice be issued to the respondent No. 2. Respondent No. 1 is represented by the learned Government Advocate. Steps to serve the respondent would be taken by the applicant within a period of one week from today. List after service of notice. Till the next date of listing, the proceedings of Criminal Case No. 199 of 2019, State Vs. Chaman Lal, pending consideration before the Court of Chief Judicial Magistrate, Uttarkashi, District Uttarkashi, would be kept in abeyance. Accordingly, Stay Application No. IA/1/2023 stands disposed of. (Sharad Kumar Sharma, J.) 14.07.2023 Mahinder/
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