



2026:UHC:3508

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>C482 / 1396 / 2023</u> <u>Hon'ble Alok Mahra, J.</u> Mr. B.M. Pingal, learned counsel for the applicant. 2. Mr. Rakesh Joshi, learned A.G.A. for the State. 3. Present application under Section 482 Cr.P.C. has been filed seeking quashing of the chargesheet, summoning/cognizance order dated 19.02.2019 passed by learned Chief Judicial Magistrate, Uttarkashi in Criminal Case No. 199 of 2019, under Sections 498-A and 323 I.P.C., as well as the entire proceedings of the aforesaid criminal case. 4. Learned counsel for the applicant would submit that the F.I.R. was lodged by respondent no.2 alleging therein that after solemnization of marriage with the applicant, she was subjected to cruelty and assault by him. Pursuant thereto, the Investigating Officer conducted investigation and submitted chargesheet against the applicant, upon which cognizance was taken by the learned trial court vide order dated 19.02.2019. 5. Learned counsel for the applicant would further submit that the marriage between the applicant and respondent no.2 was solemnized on 18.06.2013 in accordance with Hindu rites and rituals. However, due to matrimonial discord, the



		parties started living separately. Thereafter, the applicant instituted a petition under Section 13 of the Hindu Marriage Act before the learned Judge, Family Court, Tehri Garhwal seeking dissolution of marriage by a decree of divorce. It is submitted that respondent no.2, after receiving notice, appeared through counsel and filed her written statement in the said proceedings. After considering the pleadings and evidence available on record, the learned Family Court vide judgment and decree dated 17.08.2021 dissolved the marriage between the parties. It is further submitted that no appeal has been preferred against the said judgment and decree and, therefore, the same has attained finality. 6. Learned counsel for the applicant, on instructions, would further submit that respondent no.2 has now remarried and a child has also been born out of the said wedlock. It is, thus, contended that in view of the subsequent developments, including dissolution of marriage by a competent court and remarriage of respondent no.2, no useful purpose would be served in permitting the criminal proceedings to continue against the applicant. 7. Heard learned counsel for the applicant and perused the material available on record. 8. It is not disputed that the marriage between the parties already stands dissolved by a decree of divorce dated 17.08.2021 passed by the learned Family
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			Court, Tehri Garhwal, which has attained finality. It has also been submitted by learned counsel for the applicant that respondent no.2 has remarried and is presently settled in her matrimonial life. 9. Considering the peculiar facts and circumstances of the case, as also the subsequent events which have overtaken the dispute between the parties, this Court is of the view that continuance of the criminal proceedings would amount to abuse of the process of law and no fruitful purpose would be served by permitting the same to continue. 10. Accordingly, the present application under Section 482 Cr.P.C. is allowed. The chargesheet, summoning/cognizance order dated 19.02.2019 passed by learned Chief Judicial Magistrate, Uttarkashi in Criminal Case No. 199 of 2019, under Sections 498-A and 323 I.P.C., as well as the entire proceedings of the aforesaid criminal case, are hereby quashed. 11. Pending applications, if any, shall stand disposed of (Alok Mahra, J.) 07.05.2026 Mamta
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