

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>C482 No.2256 of 2022  <u><b>Hon'ble Sharad Kumar Sharma, J.</b></u></p> <p>Mr. Ramji Srivastava, Advocate for the applicants.</p> <p>Mr. Atul Kumar Shah, Deputy Advocate General assisted by Mrs. Mamta Joshi, Brief Holder for the State of Uttarakhand.</p> <p>The C-482 application is emanating as a consequence of registration of Criminal Case No.7288 of 2022 State vs. Sukrant Chaudhary and others, whereby the present applicant nos.1 and 2, who are parents of applicant no.3, who is husband of complainant/respondent no.2 and applicant no.4 is sister of applicant no.3.</p> <p>The allegations levelled in the FIR are pertaining to the commission of offence under Section 498-A, 323, 506 IPC and Section 3/4 of Dowry Prohibition Act, which was registered at P.S. Rajpur, Dehradun, District Dehradun.</p> <p>After having heard the learned counsel for the applicants and after going through the contents of the FIR in fact, at the most the offence, which could culled out to have been made out against present applicant nos.1, 2 &amp; 4 would be with regards to the provisions contained under Section 506 IPC, because in the absence of there being any allegations pertaining to the offence under Sections 498-A and 323 of IPC, as against applicant nos.1, 2 and 4, no direct offence could be said to have been established against them.</p> <p>But as far as the applicant no.3 is concerned, who is the husband of the complainant/respondent no.2, with whom she alleges to have solemnized the marriage, the offence are prima facie made out against him as such the C-482 Application qua applicant no.3 <b>would be deemed to be dismissed.</b></p> <p>For applicant nos.1, 2 and 4, let notices be issued to respondent no.2 but notices on behalf of</p>

respondent no.1 is accepted by the Government Advocate. They may file their counter affidavit within a period of three weeks from today.

The counsel for the applicant will take steps to serve respondent no.2 within a period of one week from today.

Till the next date of listing the proceedings of Criminal Case No.7288 of 2022 State vs. Sukrant Chaudhary and others pending consideration before the Court of III<sup>rd</sup> Additional Chief Judicial Magistrate, Dehradun would remain suspended only qua the applicant nos.1, 2 and 4.

List after service of notice on respondent no.2.

**(Sharad Kumar Sharma, J.)**

19.12.2022

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