
(2026) 03 UK CK 1327

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 2269 Of 2023

Mukul Goyal

APPELLANT

Vs

State Of Uttarakhand And Anr.

RESPONDENT

Date of Decision : 19-03-2026

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Citation : (2026) 03 UK CK 1327

Hon'ble Judges : Ashish Naithani, J

Bench : Single Bench

Advocate : Sharang Dhulia, Vijay khanduri

Final Decision : Dismissed

Judgement

Ashish Naithani, J

1. The present application has been filed under Section 482 of the Code of Criminal Procedure invoking the inherent jurisdiction of this Court for quashing of the criminal proceedings arising out of Special S.C./S.T. Case No. 14 of 2023 pending before the Court of the 5th Additional District and Sessions Judge (S.C./S.T. Act), Dehradun.

2. The Applicant Mukul Goyal and the private Respondent Naina Surat Rawat are husband and wife. Their matrimonial relationship has been strained and multiple proceedings between the parties are stated to be pending in different jurisdictions.

3. It appears from the record that matrimonial proceedings between the parties were also initiated in the United Kingdom, where proceedings relating to dissolution of marriage and financial remedies were pursued before the Family Court at London. Documents relating to such proceedings, including orders passed by the Family Court in England, have been placed on record in the present petition.

4. The Applicant is presently residing abroad and, during the pendency of the proceedings before this Court, it was brought to the notice of the Court that he is residing in the United Kingdom. Accordingly, by an earlier order passed in the proceedings, liberty was granted to the Applicant to move an appropriate application before the Trial Court for participation in the trial through virtual mode.

5. The criminal proceedings sought to be quashed are pending before the competent court at Dehradun. It was also observed in earlier proceedings before this Court that the mere pendency of the present application under Section 482 CrPC would not preclude the Trial Court from proceeding with the trial in accordance with law.

6. During the pendency of the present petition, attempts were also made to explore the possibility of settlement between the parties. The parties were directed to appear before the counsellor/mediator; however, the counselling proceedings could not be concluded successfully.

7. Learned counsel for the Applicant submits that the criminal proceedings initiated against the Applicant are an abuse of the process of law and arise out of a matrimonial dispute between the parties.

8. It is argued that the parties have been involved in matrimonial litigation for several years and proceedings relating to their marital relationship have also taken place before courts in the United Kingdom. It is submitted that the criminal proceedings in India have been initiated with an ulterior motive in the backdrop of the matrimonial dispute.

9. Learned counsel further submits that the Applicant is presently residing abroad and has been participating in the proceedings through virtual mode. It is contended that the continuation of the criminal proceedings would cause undue harassment to the Applicant.

10. It is further argued that the allegations made against the Applicant do not disclose the essential ingredients of the offences alleged and that the criminal prosecution has been instituted only to pressurize the Applicant in connection with the matrimonial dispute between the parties.

11. Learned counsel therefore submits that the present case falls within the parameters laid down by the Hon'ble Supreme Court for exercise of inherent jurisdiction under Section 482 CrPC and that the proceedings pending before the Trial Court deserve to be quashed in order to secure the ends of justice.

12. Per contra, learned brief holder appearing for the State submits that the allegations made in the complaint and the material collected during investigation disclose commission of cognizable offences.

13. It is contended that the issues raised by the Applicant involve disputed questions of fact which cannot be examined in proceedings under Section 482

14. Learned A.G.A. further submits that the Trial Court is already seized of the matter and the evidence is required to be examined during the course of trial. It is therefore argued that the inherent jurisdiction of this Court should not be exercised to stifle a legitimate prosecution.

15. Learned counsel appearing for the private Respondent opposes the present application and submits that the allegations made against the Applicant are serious in nature and have been supported by material placed on record before the Trial Court.

16. It is further submitted that the defence sought to be raised by the Applicant relates to factual aspects which can only be examined during trial.

17. Learned counsel therefore submits that no case is made out for interference under Section 482 CrPC and the present petition deserves to be dismissed.

18. Heard learned counsel for the parties and perused the records.

19. The inherent jurisdiction of this Court under Section 482 of the Code of Criminal Procedure is well settled. Such power is to be exercised sparingly and with great caution to prevent abuse of the process of court or otherwise to secure the ends of justice. It is equally settled that the power cannot be exercised to undertake a meticulous examination of the evidence or to determine the veracity of the allegations made in the complaint.

20. The legal principles governing the exercise of jurisdiction under Section 482 CrPC have been authoritatively laid down by the Hon'ble Supreme Court in *State of Haryana v. Bhajan Lal*, 1992 Supp (1) SCC 335, wherein the Court enumerated illustrative categories in which the inherent power of the High Court may be exercised for quashing of criminal proceedings. At the same time, the Hon'ble Supreme Court has consistently cautioned that such power must be exercised with circumspection and only in rare cases.

21. The Hon'ble Supreme Court in *Neeharika Infrastructure Pvt. Ltd. v. State of Maharashtra*, (2021) 19 SCC 401 has further reiterated that at the stage of considering a petition for quashing, the Court is not required to embark upon an enquiry into the reliability or genuineness of the allegations. If the allegations in the complaint disclose the commission of an offence, the criminal proceedings ordinarily ought not to be interdicted.

22. In the present case, the principal contention raised on behalf of the Applicant is that the criminal proceedings have arisen in the backdrop of matrimonial disputes between the parties and that proceedings relating to their marital relationship have also taken place before courts in the United Kingdom.

23. The existence of matrimonial discord between the parties or the pendency of proceedings in foreign jurisdictions, by itself, cannot constitute a ground for quashing of criminal proceedings if the allegations contained in the complaint

disclose the commission of an offence and require adjudication on the basis of evidence.

24. The submissions advanced on behalf of the Applicant essentially invite this Court to examine disputed questions of fact and to evaluate the defence of the Applicant in the light of the material relied upon by him. Such an exercise would necessarily involve an appreciation of evidence, which is impermissible while exercising jurisdiction under Section 482 CrPC.

25. It is also noteworthy that earlier orders passed in the present proceedings made it clear that the pendency of the present petition would not prevent the Trial Court from proceeding with the trial in accordance with law. The Trial Court has thus been permitted to continue with the proceedings, and the issues raised by the Applicant can appropriately be examined during the course of trial on the basis of evidence led by the parties.

26. At this stage, this Court cannot record a finding as to the truthfulness or otherwise of the allegations made in the complaint. The defence sought to be raised by the Applicant is a matter which can be tested only during the trial.

27. Having considered the material on record and the submissions advanced by the parties, this Court is of the opinion that the present case does not fall within any of the categories laid down in *State of Haryana v. Bhajan Lal* warranting exercise of the inherent jurisdiction of this Court to quash the proceedings.

28. The allegations made in the complaint cannot be said to be so absurd or inherently improbable that no prudent person could ever reach a conclusion that an offence has been committed. The issues raised by the Applicant are essentially matters of defence which must be adjudicated by the Trial Court on the basis of evidence.

29. In view of the aforesaid discussion, this Court finds no ground to interfere with the criminal proceedings in exercise of powers under Section 482 CrPC.

ORDER

The present application under Section 482 of the Code of Criminal Procedure is accordingly dismissed.