



2026:UHC:2200

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p>C528 No.1916 of 2025 <u>Hon'ble Alok Mahra, J.</u></p> <p>Mr. Neeraj Garg, Advocate for the applicants.</p> <p>Mr. Rajat Mittal, Advocate for respondent no.1.</p> <p>2. This criminal misc. application has been filed by the applicants for quashing the judgment & order dated 20.08.2025 passed by learned Sessions Judge, Dehradun in Criminal Appeal No.281 of 2023. Further prayer has been made to quash the order dated 04.09.2023 passed by learned Judicial Magistrate-I, Dehradun in Misc. Case No.1312 of 2023.</p> <p>3. The brief facts of the case are that respondent no.1 filed an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005 against the applicants, seeking relief under Sections 18, 19, 20, and 22 of the Act. Respondent no.1 also filed an application under Section 23 of the Act for interim relief, restraining the applicants from dispossessing her from the shared household and from interfering with her possession. The applicants opposed the application under Section 23. Learned Judicial Magistrate-I, Dehradun, by order dated 04.09.2023, allowed the application, restraining the applicants from dispossessing the respondent no.1 and from creating any hindrance in her possession. Aggrieved, the applicants preferred a Criminal Appeal before the learned Sessions</p>



Judge, Dehradun, which was dismissed by judgment dated 20.08.2025. Consequently, the applicants have filed this criminal miscellaneous application seeking quashing of both the orders.

4. Heard learned counsel for the parties and perused the record. It is admitted that respondent no.1 is the daughter-in-law of applicant no.1 and resided in the shared household with her husband until his death. According to the complaint filed by respondent no.1 on 31.03.2023, after the *Terahvin* of her husband, the applicants forcibly prevented her from accessing the shared household, resulting in her locking her room and temporarily staying at her parental home. The following day, when she attempted to collect her child's school belongings, the applicants locked the main gate from inside and threatened her, asserting that she no longer had any right over the house.

5. Considering the admitted facts, the household clearly qualifies as a "shared household" within the meaning of the Protection of Women from Domestic Violence Act, 2005. Respondent no.1, having resided there with her husband, is entitled to protection from dispossession or interference by the applicants. A careful perusal of the impugned orders reveals no illegality, infirmity, or jurisdictional error warranting interference. The orders passed by the learned Judicial Magistrate-I and upheld by the learned Sessions Judge are in accordance with law and fully consistent with the provisions of the Act.

6. In view of the admitted facts and the legal position, the applicants have



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failed to make out any ground for quashing of the orders impugned. The criminal miscellaneous application is, therefore, dismissed.

(Alok Mahra, J.)

27.03.2026

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