

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

CRM(M) No. 607/2025
CrlM No. 1171/2025

1. Shubham Pawar, Age 22 years,
S/O Angrej Singh,
R/O Ward No. 12, Reasi. Petitioner/Appellant(s)
2. Aryan Sharma, Age 22 years,
S/O Pawan Kumar,
R/O Karloop, Jammu.
3. Chander Sheel, Age 19 years,
S/O Ganesh Dutt,
R/O Bharnara, Tehsil
Majalta, District,
Udhampur.
4. Antriksh Rajput, Age 20 years,
S/O Kamail Singh,
R/O Garnai, Udhampur.
5. Tanmay Sharma, Age 21 years,
S/O Laxmi Kant Sharma,
R/O Karloop, Jammu

Through:- Mr. Abhishek Gupta, Advocate.

V/s

1. UT of J&K
through Prosecuting
Officer, Court of Special
Mobile Magistrate Passenger
Tax, Jammu. Respondent(s)
2. Parshant Singh Manhas,
S/O Parshotam Singh
Manhas, R/O Patta Bohri,
TalabTillo, Tehsil and
District Jammu,

Through:- Mr. P.D. Singh, Dy. AG for R-1
Mr. Avnish Gorka, Advocate for R-2

CORAM: HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE
ORDER

13.08.2025

1. The petitioners, by way of the present petition filed under Section 528
of the BNSS, 2023, seek quashing of FIR No. 28/2024 dated 24.02.2024,

registered at Police Station Amb Gharota for offences punishable under Sections 147, 323, 341, and 504 of the IPC and charge sheet No. 58 dated 07.12.2024, titled '**UT of J&K vs. Shubham Pawar & Ors,**' which is presently pending consideration before the Court of learned Special Mobile Magistrate (Passenger Tax), Jammu.

2. It is submitted that both the petitioners and respondent No. 2 are students of MIET College, Jammu, pursuing their B.A. LL.B. course. Being young students of the same institution, a minor disagreement between them escalated into an altercation, leading to the registration of the aforesaid FIR and, thereafter, the filing of charge sheet No. 58 dated 07.12.2024 before the learned trial Court.

3. It is further submitted that, with the passage of time, the parties have realized that the incident was the outcome of youthful indiscretion and misunderstanding, rather than any criminal intent. The controversy having arisen in such circumstances, the parties have now reconciled and resolved their differences amicably, in terms of a compromise deed dated 21.05.2025, a copy whereof has been placed on record.

4. The parties appeared in person before this Court and, to verify the genuineness of the compromise, their statements were directed to be recorded before the learned Registrar Judicial of this Court vide order dated 11.07.2025.

5. Their statements, recorded on 15.07.2025, have been placed on record, wherein they have categorically deposed that the matter has been amicably resolved of their own free will, without any pressure or coercion. Respondent No. 2/complainant has specifically submitted that he has no grievance against the petitioners and has no objection if the FIR,

along with consequential proceedings in the case titled “*UT of J&K vs. Shubham Pawar and Others*,” pending before the Court of learned Special Mobile Magistrate (Passenger Tax), Jammu, is quashed.

6. The Hon’ble Supreme Court, in ‘**Narinder Singh & Ors. vs. State of Punjab & Ors.**’, (2014) 6 SCC 466, laid down the guidelines for accepting or refusing settlements in criminal proceedings. Paragraphs 29.3 and 29.4 being relevant are reproduced as under:

29.3 Such a power is not be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by Public Servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4 On the other, those criminal cases having overwhelmingly and pre-dominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

7. In the present case also, the offences alleged against the petitioners do not fall within the category of heinous or grave crimes of mental depravity, such as murder, rape, or dacoity. Having regard to the nature of the allegations, the amicable settlement arrived at between the parties, their decision to live in peace and harmony, and the categorical statement of the complainant-respondent No.2 that he has no objection to the quashing of the proceedings,

this Court is of the considered view that no fruitful purpose would be served by allowing the criminal proceedings to continue.

8. In view of the compromise, the possibility of conviction is bleak, and the continuation of criminal proceedings would only result in unnecessary harassment to the parties, who have chosen to live in peace and harmony.

9. Learned counsel for the petitioner has also relied upon the judgment of the Delhi High Court in '*Satender Sharma v. State & Anr.*', 2016 Supreme (Del) 1179, wherein the Court quashed the proceedings on the basis of compromise between the parties, while reiterating the principle that cases of personal nature, arising out of misunderstanding and lacking any element of public interest, can be quashed to secure the ends of justice.

10. In view of the aforesaid discussion and the law laid down by the Hon'ble Supreme Court, this petition is **allowed**. Accordingly, FIR No. 28 dated 24.02.2024 registered at Police Station Amb Gharota, Jammu, along with charge sheet No. 58 dated 07.12.2024 and all consequential proceedings pending before the learned Special Mobile Magistrate (Passenger Tax), Jammu, in case titled "*UT of J&K vs. Shubham Pawar & Others*" are quashed. A copy of this order shall be forwarded to the learned Trial Court for compliance and record.

11. **Disposed** of accordingly, along with connected application(s).

(M A Chowdhary)
Judge

Jammu:

13.08.2025

Madan Verma-Secy.