

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case: CrIM No.682/2025 in
CRM(M) No.339/2019

Kanshi Ram and another

..... Petitioner(s)

Through :- Mr. Jagpaul Singh, Advocate

Vs

State of J&K and others

.....Respondent(s)

Through :- Mr. Bhanu Jasrotia, GA vice
Mr. Pawan Dev Singh, Dy. AG for R-1 & 2.
Mr. Rakesh Sharma, Advocate for R-3.

**CORAM:
HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE**

ORDER
29.04.2025

1. Through the medium of the instant application supported with an affidavit, the petitioners seek to place on record a mutual compromise deed alleged to have been entered into between them as accused and the respondent No.3 as complainant in the criminal case bearing FIR No.01/2019 of Police Station, Women Cell Gandhi Nagar, Jammu.

2. It has been mentioned in the application that the petitioners and the respondent No.3 have entered into a mutual settlement in respect of all the pending disputes. The main petition has been filed by the petitioners with the prayer for quashment of FIR No.01/2019 under Sections 498-A, 323, 504, 506, 109 RPC registered with Police Station, Women Cell Gandhi Nagar, Jammu. The respondent No.3/complainant and the son of the petitioner No.1 are reported to have been married with each other and after their marriage some

matrimonial disputes arose between them which led to the filing of different types of litigations/counter litigations.

3. As per the compromise deed which is sought to be taken on record, the concerned parties i.e. petitioners and respondent No.3 are reported to have entered into a mutual settlement on the terms and conditions mentioned in the same.

4. I have gone through the application as well as the copy of the mutual settlement deed enclosed with the same. It is also prayed in the application that the main petition be allowed on the basis of the said compromise deed and impugned FIR be quashed.

5. The petitioners/accused as well as the respondent No.3/complainant are present in person along with their respective counsels. They have admitted the execution of the compromise deed and the terms and conditions of the same. Since, the FIR sought to be quashed through the main petition appears to be outcome of the matrimonial dispute, as such, this Court is of the opinion that it may be in the ends of justice in case the petition is allowed in the backdrop of the compromise arrived at between the parties and the impugned FIR is quashed.

6. The provision of Section 359 of BNSS corresponding to Section 320 of the Code of Criminal Procedure do not restrict, but limit and circumspect the powers of this Court in terms of Section 528 BNSS to allow compromise in justified circumstances and pass appropriate orders, accordingly, in the ends of justice.

7. It is well settled through a catena of judgments, that if the parties to a criminal case i.e. the complainant and the accused, which appears to be outcome of matrimonial dispute, resolve their disputes amicably, the High Court is within its powers in terms of provisions of Section 528 of BNSS to quash the criminal proceedings, as such, proceedings are personal in nature and do not involve any social or other important aspects. This court, accordingly, allows the application and takes the enclosed compromise deed on record.

8. Learned Registrar Judicial, Jammu shall however, record the statements of the petitioners and the respondent No.3, as given, before the Court.

9. Accordingly, the main petition is also allowed and the impugned FIR No.01/2019 is quashed.

10. *Disposed of.*

(MOHD. YOUSUF WANI)
JUDGE

JAMMU
29.04.2025
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