

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

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CRM(M) No. 89/2026

Pawan Kumar

Through: Mr. Jagpaul Singh, Advocate

Vs.

UT of J&K and anr.

Through: Mr. Sunil Malhora, Advocate for R-1
Mr. Reshu Rejeshwar, Advocate for R-2

CORAM: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER (ORAL)
06.02.2026

1. The petitioner has invoked the jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of the criminal challan titled "*State v. Pawan Kumar*", arising out of FIR No. 01/2018 dated 19.01.2018, registered under Section 354 RPC with the Police Station GRP, Kathua, at the instance of respondent No. 2, and presently pending before the Court of the learned District Mobile Magistrate, Kathua. The quashing of the challan is sought on the ground that the dispute between the parties has been amicably settled.
2. The petitioner is stated to be a Travelling Ticket Examiner (TTE), whereas respondent No. 2/complainant was a lady passenger travelling from Hiranagar to Madhopur. It is stated that the parties

have amicably resolved their disputes outside the Court. A copy of the compromise deed, evidencing settlement of all disputes between the petitioner and respondent No. 2, has been placed on record. The statements of the petitioner as well as respondent No. 2/complainant were recorded before the Registrar Judicial on 06.02.2026. Respondent No. 2, in her statement, has stated that all disputes and issues arising out of the aforesaid FIR stand resolved and that she has no objection if FIR No. 01/2018 dated 19.01.2018 and the challan are quashed. The petitioner, in his statement recorded on the same date, has also prayed for quashing of the impugned challan in view of the amicable settlement.

3. Mr. Suneel Malhotra, learned Government Advocate, submits that since the parties have amicably resolved the dispute, no fruitful purpose would be served by permitting the criminal proceedings to continue.
4. Heard learned counsel for the parties and perused the record.
5. The question that arises for consideration before this Court is whether criminal proceedings arising out of an offence under Section 354 RPC, which is otherwise non-compoundable, can be quashed in exercise of inherent jurisdiction on the basis of a compromise arrived at between the parties.
6. The Hon'ble Supreme Court in **Shiji @ Pappu and others v. Radhika and another, (2011) 10 SCC 705**, while dealing with offences under Sections 354 and 506 IPC, has held that notwithstanding the non-compoundable nature of such offences, the

High Court is not denuded of its powers under Section 482 Cr.P.C. (now Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023) to quash the proceedings, provided the dispute is essentially private in nature and has been amicably settled. The Supreme Court observed that continuation of criminal proceedings in such circumstances would amount to an abuse of the process of the Court.

7. Further, in *Gian Singh v. State of Punjab and another*, (2012) 10 SCC 303, the Hon'ble Supreme Court has authoritatively held that criminal proceedings arising out of personal or private disputes may be quashed by the High Court in exercise of its inherent powers, even if the offences are non-compoundable, provided they are not heinous in nature, do not have a serious impact on society at large, and do not involve moral turpitude or offences against the State.
8. Applying the aforesaid principles to the facts of the present case, it is evident that the dispute between the petitioner and respondent No. 2 is purely personal in nature. Respondent No. 2 has clearly stated, both in the compromise deed and in her statement recorded before the Registrar Judicial, that she has settled all disputes with the petitioner and has no objection to the quashing of the FIR and the consequential challan. This Court is of the view that continuation of the criminal proceedings, despite the amicable settlement, would serve no useful purpose and would amount to an abuse of the process of law.
9. In view of the above, the present petition is allowed. FIR No. 01/2018 dated 19.01.2018 registered with Police Station GRP, Kathua for an offence under Section 354 RPC, alongwith the consequential challan

pending before the Court of the learned District Mobile Magistrate, Kathua, is hereby quashed.

(RAJNESH OSWAL)
JUDGE

Jammu
06 .02.2026
Karam Chand/Secy.

Whether the order is speaking: Yes/No
Whether the order is reportable: Yes/No