

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

CRM(M) No. 417/2026

CrIM No 739/2026

c/w

CRM(M) No. 814/2024

CrIM No. 1672/2024

Kavi Raj and ors.

.....Appellant(s)/Petitioner(s)

Through: Mr. Aseem Sawhney, Sr. Advocate
with
Mr. Harsh Singh, Advocate

vs

U.T. of J&K and Anr. .

..... Respondent(s)

Through: Mr. P.D Singh, Dy. A.G
Mr. Sachin Dev Singh, Advocate and
Mr. Sanpreet Singh, Advocate. .

CORAM: HON'BLE MR. JUSTICE SHAHZAD AZEEM, JUDGE

ORDER
05.06.2026

CRM(M) No. 417/2026

01. The petitioners have invoked the jurisdiction of this Court under Section 482 Cr.P.C. seeking quashment of final report/challan bearing No. 100/2024 dated 16.10.2024 arising out of FIR No. 75/2024 registered with P/s Kanachak under Sections 341/325/147/504/506 IPC titled UT of J&K Vs. Nanak Chand.

02. The aforesaid FIR came to be registered on the basis of allegations of harassment allegedly meted out to respondent No. 2 by the petitioners. During the course of proceedings, the parties are stated to have entered into a compromise, and in this regard, a

compromise deed dated 05.11.2025 has been executed and placed on record.

03. Vide order dated 22.05.2026, the parties were directed to appear before the Registrar Judicial of this Court for recording of their statements in support of the said compromise. In compliance thereof, petitioners and respondent No. 2 appeared before the Registrar Judicial, and their statements have been recorded in support of the compromise arrived at between the parties.

04. Learned counsel for the petitioners has submitted that as per petitioners and respondent No. 2-complainant, they have resolved the dispute amicably, as such, the impugned challan/final report may be quashed.

05. Mr. P.D Singh, learned Dy A.G submitted that appropriate orders as this Court may deem fit, may be passed.

06. Heard and considered.

07. It is well settled that in the cases of disputes which have predominantly civil flavour and where the wrong is basically private or personal in nature and the parties have resolved their entire dispute, the High Court is well within its jurisdiction to quash the criminal proceedings, if it is known that because of the compromise arrived at between the parties, there is remote possibility of securing conviction of the accused. In fact, in such

cases, the Supreme Court has clearly observed that it would amount to extreme injustice, if despite settlement having been arrived at by the parties, the criminal proceedings are allowed to continue.

08. Adverting to the facts of the instant case, it is clear that the parties to the dispute have entered into a compromise, whereby complainant has decided not to pursue prosecution in the impugned FIR against the petitioners. Therefore, once the rival parties have arrived at a settlement, allowing the prosecutions to continue merely if one of the offences alleged against the accused is non-compoundable in nature, would amount to great injustice to both the parties and, in fact, it will amount to frittering away the fruits of compromise that has been arrived at between the parties. The continuance of proceedings against the petitioners, in these circumstances, will be nothing but an abuse of process of law.

09. In view of the above, no useful purpose would be served by continuing the proceedings. Accordingly, a case for interference is made out. In the interest of justice and considering the nature of the proceedings, the final report/challan bearing No. 100/2024 is hereby quashed.

10. *Disposed of*, accordingly.

CRM(M) No. 814/2024

11. The petitioners have invoked the jurisdiction of this Court under Section 482 Cr.P.C. seeking quashment of FIR No. 138/2024 dated 05.09.2024 for offences under Sections 341/323/427/147 & 506 IPC registered with Police Station, Kanachak.

12. The aforesaid FIR came to be registered on the basis of allegations of assault allegedly meted out to respondent No. 2 by the petitioners. During the course of proceedings, the parties are stated to have entered into a compromise, and in this regard, a compromise deed dated 05.11.2025 has been executed and placed on record.

13. Vide order dated 15.05.2026, the parties were directed to appear before the Registrar Judicial of this Court for recording of their statements in support of the said compromise. In compliance thereof, petitioners and respondent No. 2 appeared before the Registrar Judicial, and their statements have been recorded in support of the compromise arrived at between the parties.

14. Learned counsel for the petitioners has submitted that as per petitioners and respondent No. 2-complainant, they have resolved the dispute amicably, as such, the impugned FIR and the proceedings emanating therefrom may be quashed.

15. Mr. P.D Singh, learned Dy A.G submitted that appropriate orders as this Court may deem fit, may be passed.

16. Heard and considered.

17. It is well settled that in the cases of disputes which have predominantly civil flavour and where the wrong is basically private or personal in nature and the parties have resolved their entire dispute, the High Court is well within its jurisdiction to quash the criminal proceedings, if it is known that because of the compromise arrived at between the parties, there is remote possibility of securing conviction of the accused. In fact, in such cases, the Supreme Court has clearly observed that it would amount to extreme injustice, if despite settlement having been arrived at by the parties, the criminal proceedings are allowed to continue.

18. Adverting to the facts of the instant case, it is clear that the parties to the dispute have entered into a compromise, whereby complainant has decided not to pursue prosecution in the impugned FIR against the petitioners. Therefore, once the rival parties have arrived at a settlement, allowing the prosecutions to continue merely if one of the offences alleged against the accused is non-compoundable in nature, would amount to great injustice to both the parties and, in fact, it will amount to frittering away the fruits of compromise that has been arrived at between the parties.

The continuance of proceedings against the petitioners, in these circumstances, will be nothing but an abuse of process of law.

19. In view of the above, no useful purpose would be served by continuing the proceedings. Accordingly, a case for interference is made out. In the interest of justice and considering the nature of the proceedings, the FIR No. 138/2024 dated 05.09.2024 is hereby quashed.

20. *Disposed of*, accordingly.

Jammu
05.06.2026
Tarun



(Shahzad Azeem)
Judge