

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

Case:- CRM(M) No. 709/2026

Kawalpreet Singh, age 28 years S/o Manjeet Singh,
R/o Near Shiv Mandir Preet Nagar, Jammu.

.....Petitioner(s)

Through: Mr. Abhishek Gupta, Advocate

Vs

1. UT of J&K, through Prosecuting Officer,
Court of learned 3rd Additional Munsiff, Jammu
2. UT of J&K through Incharge Police Station,
Gandhi Nagar, Jammu.
3. Manpreet Singh, S/o Gurdeep Singh
R/o Dharam Lane, Preet Nagar, Digiana, Jammu

..... Respondent(s)

Through: Mr. Pawan Dev Singh, Dy AG for R-1&2
Mr. Avnish Gorka, Advocate for R-3

Coram: HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

JUDGMENT
(07.10.2026)

01. Through the medium of instant petition, filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner is seeking to quash impugned FIR No.198/2016 dated 25.08.2016 registered at Police Station, Gandhi Nagar, Jammu and Charge-sheet No. 145/2016 titled UT of J&K vs Kawalpreet Singh, filed under Sections 341, 323,336 RPC, pursuant to aforesaid FIR, pending before the Court of learned 3rd Additional Munsiff, Jammu, on the basis of Compromise Deed dated 23.04.2026 entered into between the parties, i.e., petitioner and respondent No.3.

BRIEF FACTS

02. Briefly stated, that one FIR No. 198/2016 dated 25.08.2016 came to be registered at Police Station Gandhi Nagar, Jammu at the instance of

respondent No. 3 against petitioner and other persons out of some misunderstanding. After the completion of investigation, the said FIR culminated into Charge Sheet No. 145/2016 titled "*UT of J&K v/s Kawalpreet Singh*" under Sections 341, 323, 336 RPC and is presently pending before the Court of Learned 3rd Additional Munsiff Jammu.

03. During the pendency of the proceedings, the parties, with the intervention of elders and respectable persons from both sides, decided to settle the dispute amicably outside the Court. Accordingly, petitioner and respondent No.3 entered into a compromise, which was reduced into writing by way of a Compromise Deed executed between them on 23.04.2026. In terms of the agreement arrived at between the parties, they have decided to resolve the disputes and put an end to the litigation.
04. On 31.08.2026, petitioner and respondent No.3 were directed to appear before the Registrar Judicial of this Court for recording their statements. Accordingly, parties appeared before the Registrar Judicial and their statements have been recorded on 26.09.2026, which have been placed on record along with the Compromise Deed. As per the statements of the parties recorded before the Registrar Judicial, they have resolved their disputes amicably and prayed for quashing the impugned FIR as also the consequent Final Report/Charge-sheet pending before the Court of learned 3rd Additional Munsiff JMJC, Jammu. Respondent No.3, who is a complainant in the impugned FIR, has stated that he has no objection in case FIR No.198/2016 dated 25.08.2016, registered against the petitioner

at Police Station Gandhi Nagar, Jammu as well as the consequential final report/charge-sheet pending before the Court of learned 3rd Additional Munsiff JMIC, Jammu is quashed.

05. The question, which arises for consideration is whether the proceedings can be quashed on compromise between the parties, is no more *res integra*. The Hon'ble Apex Court in **Narinder Singh and others vs. State of Punjab and others, (2014) 6 SCC 466**, framed guidelines for accepting the settlement for quashing the proceedings or refusing to accept the settlement with direction to continue with criminal proceeding.

Paragraph Nos. 29.3, 29.4 & 29.5 being relevant are reproduced below:-

"29.03 Such a power is not to 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.

29.5 While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases."

06. In the present case also, the offence alleged against the petitioner does not fall within the offence of heinous nature. Keeping in view the nature of the allegations and the fact that the parties have already settled the matter amicably, and that respondent No. 3 has no objection to the quashing of the impugned FIR and all consequential proceedings emanating

therefrom, this Court is of the considered view that continuation of the criminal proceedings would serve no useful purpose.

07. Therefore, in view of the compromise entered into between the parties, there are bleak chances of conviction, rather continuation of criminal proceedings will cause grave injustice to the parties and would amount to abuse of the process of Court, as the parties are no longer interested in pursuing the same.
08. In view of the aforesaid discussion as well as law laid down by the Hon'ble Apex Court and to secure the ends of justice, this petition is allowed and FIR No.198/2016 dated 25.08.2016 registered at Police Station, Gandhi Nagar, Jammu for commission of offences under Sections 341, 323, 336 RPC as well as the consequential final report/charge-sheet pending before the Court of learned 3rd Additional Munsiff JMIC, Jammu is quashed.
09. ***Disposed of*** accordingly.

(MOKSHA KHAJURIA KAZMI)
JUDGE

JAMMU
07.10.2026
(Anil Sanhotra)

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