

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

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CRM(M) No. 962/2023

Rabia Mir and others

Through: Mr. Aseem Sawhney, Sr. Advocate with
Ms. Tehsena Bukhari, Advocate

Vs.

UT of J&K and others

Through: Mr. Pawan Dev Singh, Dy.AG

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

ORDER (ORAL)
27.02.2026

1. The petitioners have invoked the jurisdiction of this Court under Section 561-A of the Cr.P.C. (now, Section 528 of the BNSS, 2023) seeking quashing of the final report (challan) pending before the Court of learned Special Railway Magistrate, Jammu, arising out of FIR No. 14/2019 dated 11.06.2019 registered with Police Station, Women Cell, Jammu for commission of offences under Sections 498-A and 109 RPC.
2. Petitioner No. 5 and respondent No. 4 were husband and wife, and petitioner Nos. 1 to 4 are the family members of petitioner No. 5. The marriage between petitioner No. 5 and respondent No. 4 was solemnized on 02.10.2017. Owing to lack of compatibility and mutual understanding, differences arose between them and they started living separately. Respondent No. 4 lodged the aforesaid FIR against the petitioners.

Subsequently, the parties amicably settled their disputes and dissolved their marriage by way of a divorce deed by mutual consent.

3. The quashing of the impugned FIR and consequential proceedings is sought on the ground that the dispute is matrimonial in nature and has been amicably settled outside the Court.
4. Vide order dated 30.01.2026, learned counsel for the parties were directed to ensure the presence of the contesting parties before the Registrar Judicial for recording of their statements. The statements of the petitioners and respondent No. 4 were recorded today i.e. 27.02.2026. Respondent No. 4/complainant has stated that due to matrimonial discord, she had lodged the complaint, which culminated into registration of the impugned FIR; however, the dispute has now been amicably resolved and the marriage has been dissolved by mutual consent. She categorically stated that she has no objection to the quashing of FIR No. 14/2019 and the consequential proceedings pending before the trial Court. Petitioner Nos. 1, 2, 3 and 5, in their statements, also prayed for quashing of the impugned FIR and all consequential proceedings in view of the settlement.
5. Mr. Pawan Dev Singh, learned Deputy Advocate General, submitted that in view of the amicable settlement between the parties, no fruitful purpose would be served by allowing the criminal proceedings to continue.
6. Heard learned counsel for the parties and perused the record.
7. It is well settled that this Court, in exercise of its inherent jurisdiction, can quash criminal proceedings even in respect of non-compoundable offences where the disputes are predominantly private in nature, particularly those arising out of matrimonial discord, and where continuation of proceedings would amount to abuse of the process of law. The object of exercising such

jurisdiction is to secure the ends of justice and prevent misuse of the judicial process.

8. A perusal of the record reveals that the dispute between the parties emanates from matrimonial discord between petitioner No. 5 and respondent No. 4. The parties have amicably settled their disputes and dissolved their marriage by mutual consent. The complainant has unequivocally stated before the Registrar Judicial that she has no objection to the quashing of the FIR and the proceedings arising therefrom. No larger public interest is involved in the matter and the offences alleged do not fall within the category of heinous or serious offences having grave societal impact.
9. In view of the amicable settlement between the parties and the settled legal position, this Court is of the considered opinion that continuation of the criminal proceedings would be an exercise in futility and would serve no useful purpose.
10. Accordingly, the petition is allowed. FIR No. 14/2019 dated 11.06.2019 registered with Police Station, Women Cell, Jammu for commission of offences under Sections 498-A and 109 RPC and the final report (challan) pending before the Court of learned Special Railway Magistrate, Jammu, along with all consequential proceedings arising therefrom, are quashed.
11. The petition stands disposed of

(RAJNESH OSWAL)
JUDGE

Jammu
27.02.2026
Karam Chand/Secy.

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