

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

CRM(M) No. 1147/2025

Ravinder Singh

.... Petitioner/Appellant(s)

Through:- Ms. Ishna Vaid, Advocate

V/s

Union Territory of J&K & ors.

.....Respondent(s)

Through:- Mr. Pawan Dev Singh, DyAG for R1 to R3

CORAM : HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER

06.03.2026

1. In terms of the previous directions passed on 27.02.2026, both the parties (petitioner and respondent No. 4) have appeared before the Registrar Judicial of this Court and given on oath statements wherein they stated that with the intervention of the elder members of the respective families, they have amicably resolved all their disputes and are presently living under one roof, so much so, after their company has been restored, they have been blessed with a child.

2. The parties claimed to have settled the matter in terms of the Compromise dated 01.03.2024. Given the compromise so made and the statements made by complainant/respondent No. 4, nothing survives for consideration in this petition. Even otherwise also, because of matrimonial dispute between the petitioner and respondent No. 4, that led to registration of FIR No. 84/2012 for offence under Section 498-A RPC which though is non-compoundable.

3. However, having regard to the fact that the parties have settled the matter and are now amicably living together having blessed with a child, in that background, continuation of the FIR and subsequent proceedings arising thereto would certainly amount to an abuse of process of law, as the same would serve no useful purpose because even if, the complainant comes in the witnesses box and testify in support of the allegations, the subsequent events between the parties have rendered the prosecution meaningless.

4. Having heard learned counsel for the petitioner and to pursue quietus to the controversy and amicable settlement between the parties, no useful purpose would be served in continuation of this petition. Similar issue was considered by the Hon'ble Apex Court in **Narinder Singh & ors. versus State of Punjab & ors., (2014) 6 SCC 466**, vide which the guidelines were framed for accepting the settlement, for quashing the proceedings or refusing to accept the settlement with direction to continue with criminal proceedings. Paragraph Nos. 29.3, 29.4 & 29.5 are reproduced below:-

“29.03 Such a power is not 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.

29.04 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.

29.05 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.”

5. Therefore, such power is not to be exercised in prosecution cases which involve heinous & serious offences of mental depravity like murder, rape, dacoity, etc.

6. In the present case also, the offences alleged against the petitioner do not fall within the offences of heinous nature of mental depravity, like murder, rape, dacoity, as such, keeping in view the nature of the allegations and considering the fact that they have settled the matter and decided to live in a peace and harmony as respondent No. 4 having specifically agreed that she has no objection if FIR and subsequent proceedings thereto as stated above, are quashed.

7. The possibility of conviction in view of the compromise between the parties, is bleak and continuation of criminal proceedings will cause grave injustice to the petitioner as respondent No. 4 is no longer interested in pursuing the same. This Court is of the view that continuation of proceedings in this case would be abuse of process of the Court.

8. In view of the aforesaid discussion as well as keeping in view the law laid down by the Hon'ble Apex Court, this petition is allowed and FIR No. 84 of 2012 dated 03.09.2012 registered at Police Station Channi Himmat along with Charge sheet No. 67/2013 against the petitioner for the commission of offence under section 498-A RPC which was registered at the instance of respondent No. 4, are quashed.

9. This petition along with connected application(s), if any, stands **disposed of** as such.

(SANJAY PARIHAR)
Judge

JAMMU
RAM MURTI
06.03.2026

