

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

CRM(M) No. 11/2026

Kartar Singh & ors.

.... Petitioner/Appellant(s)

Through:- Mr. Rohit Kotwal, Advocate

V/s

Union Territory of J&K and anr.

.....Respondent(s)

Through:- None

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

ORDER

12.01.2026

01. The petitioners have invoked the inherent jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) seeking quashing of FIR No. 58/2023 dated 21.08.2023 registered at Police Station Chassana, Reasi, along with Final Report/Charge-sheet No. 45/2023 dated 10.09.2023 pending before the Court of learned Judicial Magistrate 1st Class, Mahore, District Reasi, against petitioner Nos. 1 to 4 for the commission of offences under Sections 452, 323, 147 and 427 IPC, which was registered at the instance of petitioner No. 5. The petitioners have jointly approached this Court seeking permission to place on record a compromise agreement, whereby they have amicably resolved their disputes and executed a Compromise Deed dated 29.12.2025 at Jammu, which stands annexed with the present petition. As per the said Compromise Deed, the petitioners have settled the dispute

amicably and have expressed their intention not to pursue the litigation any further.

02. Invoking the inherent jurisdiction of this Court, the petitioners seek quashing of the aforesaid FIR and consequential proceedings. Today, all the petitioners are present in person and have been duly identified by their learned counsel. Their statements have been recorded by the Registrar Judicial of this Court, wherein they have stated that in terms of the Compromise Deed, they have amicably settled the dispute outside the Court of their own free will and have decided not to pursue the FIR as well as the charge-sheet arising therefrom. Perusal of the Compromise Deed reveals that the settlement has been arrived at voluntarily, without any external pressure, inducement or coercion.
03. Heard learned counsel for the petitioners. In order to put a quietus to the controversy and in view of the amicable settlement arrived at between the parties, this Court is of the considered opinion that no useful purpose would be served by continuation of the criminal proceedings. A similar issue came up for consideration before the Hon'ble Supreme Court in *Narinder Singh & Ors. v. State of Punjab & Ors.*, (2014) 6 SCC 466, wherein guidelines were laid down for accepting a settlement for quashing criminal proceedings or for refusing to accept such settlement. Paragraphs 29.3, 29.4 and 29.5 of the judgment lay down that the power of quashing should not be exercised in prosecutions involving heinous and serious offences of mental depravity such as murder, rape or dacoity, or offences under

special statutes like the Prevention of Corruption Act, whereas criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions, matrimonial relationships or family disputes, may be quashed where the parties have resolved their entire dispute. It has further been held that the High Court must examine whether the possibility of conviction is remote and whether continuation of the proceedings would result in oppression, prejudice or extreme injustice to the accused.

04. In the present case, the offences alleged against the petitioners do not fall within the category of heinous or serious offences of mental depravity such as murder, rape or dacoity. Keeping in view the nature of the allegations and the fact that the parties have amicably settled the matter and have decided to live in peace and harmony, and particularly in view of the categorical statement of petitioner No. 5 that he has no objection to the quashing of the FIR and charge-sheet, the possibility of conviction appears to be bleak. Continuation of the criminal proceedings would, therefore, cause grave injustice to the petitioners and would amount to abuse of the process of the Court.
05. In view of the aforesaid discussion and the law laid down by the Hon'ble Supreme Court, the petition is allowed. Accordingly, FIR No. 58/2023 dated 21.08.2023 registered at Police Station Chassana, Reasi, along with Final Report/Charge-sheet No. 45/2023 dated 10.09.2023 pending before the Court of learned Judicial Magistrate

1st Class, Mahore, District Reasi, against petitioner Nos. 1 to 4 for offences under Sections 452, 323, 147 and 427 IPC, registered at the instance of petitioner No. 5, are hereby quashed. The petition, along with connected application(s), if any, stands disposed of accordingly.

(SANJAY PARIHAR)
Judge

JAMMU
RAM MURTI/PS
12.01.2026

