Regular List
Serial No. 65

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

CRM(M) No. 1224/2026
CrlM No. 2207/2026

Date of pronouncement : **13.11.2026**
Uploaded on : **16.11.2026**

1. **Akash Deepak Attri**, Aged 37 years,
   S/o Sh. Darshan Lal,
   R/o Ward No. 2, Lucky Vihar, Bishnah, UT of J&K,
   181132.

2. **Darshan Lal**, Aged 69 years,
   S/o Lt. Sh. Baju Ram,
   R/o Ward No. 2,
   Lucky Vihar, Bishnah, UT of J&K, 181132.

3. **Krishana Kumari**, Aged 63 years,
   W/o Sh. Darshan Lal,
   R/o Ward no. 2, Lucky Vihar, Bishnah, UT of J&K,
   181132.

4. **Reetu Bala**, Aged 34 years,
   W/o Sh. Gaurav Kumar Angurana,
   R/o near Arvind Gosh Higher Secondary School,
   Gagore, Gogar, Vijaypur, District Samba,
   UT of J&K, 184120.

.....Petitioners

Through:- Petitioner No. 1-in-person.

V/s

1. **Union Territory of Jammu and Kashmir**
   Through Officer-in-Charge, Police Station Women Cell,
   Gandhi Nagar, Jammu.

2. **Payal Gorka**
   D/o Subash Chander
   R/o Ward No. 6,
   Kartholi, Bari Brahmana, District Samba

.....Respondents

Through:- Respondent No. 2-in-person.

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

ORDER (ORAL)

01. The petitioner No. 1-Akash Deepak Attri and the respondent No. 2-Payal Gorka are present in person.

02. In terms of the previous direction, the parties had apprised this Court that they got separated by taking recourse to a decree of dissolution of marriage with mutual consent and, according to the parties, the same has already been accorded by the competent court of jurisdiction at Jammu. It was in that background that the parties were directed to appear before the Registrar Judicial, Jammu, for making their statement on oath and, in compliance thereto, both the petitioners as well as the complainant have made statement on oath before the Registrar Judicial, Jammu, sticking to the compromise deed dated 13.04.2026 by which they had mutually separated, and now seek quashing of the FIR and subsequent proceedings that had emanated on the strength of case FIR No. 5/2024 dated 14.02.2024 registered by Police Station Women Cell, Gandhi Nagar, Jammu under Sections 498-A & 34 of the Indian Penal Code (IPC).

03. The parties, who appeared in person, had entered into wedlock on 14.10.2021, which subsequently, because of matrimonial discord, led to the filing of FIR by the respondent No. 2-Payal Gorka, being FIR No. 5/2024 dated 14.02.2024, which led to the filing of the charge-sheet on 21.03.2024, which was pending before the court of Munsiff/JMIC, Jammu being case titled – ***"Union Territory***

of Jammu and Kashmir through Police Station Women Cell Vs. Darshan Lal & Ors.”.

04. Since the parties have resolved the dispute and have entered into a compromise, it is in that background that they have sought quashing of the criminal proceedings emanating out of the said FIR.

05. Since the parties have, on their own, settled their differences and got mutually separated, nothing survives to be decided *inter se* the parties. So, in that background, even if the charge-sheet is allowed to continue, that may not result in the culmination of the criminal proceedings because it would be very difficult for the complainant to retract from the statement which she has made before the Registrar Judicial, Jammu, as well as the compromise that has been effected, followed by a decree of divorce by mutual consent.

06. The offence under Section 498-A has been made non-compoundable, so, in that background, the compromise entered into *inter se* the parties may not be a ground for the trial court to discontinue the proceedings, and it is bound to take the trial to its logical conclusion. However, given the fact that the parties have settled the matter, continuation of the trial would be more detrimental to the interests of the parties, as their mutual separation has led to the settlement

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of all disputes arising out of the matrimonial discord. So, allowing the process to continue would not serve any purpose but would put the parties to more harassment.

07. In the aforesaid background of the case, this petition is, accordingly, ***allowed***, and FIR No. 5/2024, followed by the all consequential proceedings arising out of the FIR No. 5/2024, stands ***quashed***.

08. ***Disposed of*** alongwith connected application(s).

09. A copy of this order shall be conveyed to the trial court.

(SANJAY PARIHAR)
JUDGE

JAMMU
13.11.2026
Bunty

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

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Bunty Kumar
2026.11.16 11:17
I attest to the accuracy and
integrity of this document