

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

**CRM(M) No. 95/2026**

Jimmy Charak & ors.

.... Petitioner/Appellant(s)

Through:- Ms. Seema Sharma and Ms. Shikha  
Pangotra, Advocates

V/s

Union Territory of J&K and anr.

.....Respondent(s)

Through:- Mr. Pawan Dev Singh, DyAG  
Mr. G. S. Thakur, Advocate

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

**ORDER**

13.02.2026

01. Learned counsel for the parties submitted that the parties have settled the matter and in support thereof, they have also made statements which were recorded by the Registrar Judicial of this Court. It was pointed out by learned counsel for the petitioners that while drafting the petition, the number of FIR has wrongly been mentioned as FIR No. 07/2024 whereas it should be FIR No. 07/2020. There appears to be a typographical error which is required to be corrected because FIR impugned herein is an FIR No. 07/2020 dated 21.09.2020 under Sections 498-A/109 RPC.

02. Perusal of the Compromise Deed reveals that the parties have settled the dispute amicably out of their own free will and without any external pressure or coercion.

03. Having heard learned counsel for the parties 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.”

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

**05.** In the present case also, the offences alleged against the petitioners 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 they having specifically agreed that he has no objection if FIR & charge-sheet as stated above, are quashed.

06. 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 parties as the parties are 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.

07. Resultantly, this petition is allowed and the impugned FIR No. 07/2020 dated 21.09.2020 registered under Sections 498-A/109 IPC at Police Station Women Cell Gandhi Nagar along with supplementary challan and also complaint under Sections 406, 34 IPC pending before the Electricity Magistrate, Jammu and all its consequential proceedings stand quashed.

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



**(SANJAY PARIHAR)**  
**Judge**

JAMMU  
RAM MURTI/PS  
13.02.2026