



Sr. No.01

2026:JKLHC-JMU:1030

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

CRM(M) No.511/2024

c/w

Bail App No.159/2024

Abdul Wahid, Age 25 years  
S/o Nazir Hussain  
R/o Village Mohra Tehsil Kotranka Kandi,  
District Rajouri thorough his father Nazir Hussain,  
Age 65 years S/o Jaami  
R/o Village Mohra Tehsil Kotranka Kandi,  
District Rajouri.

.....Petitioner/Appellant(s)

Through: Mr. Jagpaul Singh, Advocate

**Vs**

1. Union Territory of Jammu & Kashmir through  
Incharge Station House Officer, Police Station,  
Kandi, District Rajouri.
2. Najma Kouser D/o Abdul Rashid  
R/o Village Mohra Tehsil Kotroanka Kandi,  
District Rajouri.

Through: Mr. Abrar Ahmed Khan, Advocate for R-2

**Coram: HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE**

**ORDER**

17.04.2026

01. Through the medium of instant petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks quashing of FIR No.54/2024 dated 19.05.2024, registered at Police Station, Kandi, District Rajouri against the petitioner, for commission of offence under Section 376 and 506 IPC.
02. According to the petitioner, out of old enmity, father of respondent No.2, namely, Abdul Rashid along with some other persons waylaid the petitioner and beaten him up mercilessly due to which petitioner was seriously injured. The father of the petitioner approached respondent No.1



for registration of criminal case against the father of respondent No.2 along with other persons. As a result whereof, FIR No.50/2019 was registered at Police Station, Kandi of District Rajouri for offences under Sections 341, 323 and 147 RPC. It is sated that due to merciless beating given by the father of respondent No.2 along with other persons, spinal cord of the petitioner was fractured, as a result of which he is unable to move out of his bed without assistance. FIR No.50/2019 is still under investigation.

03. It has been stated that with an intention to harass the petitioner and his family members, father of respondent No.2 in connivance with respondent No.1 got the impugned FIR No.54/2024 dated 19.05.2024 registered against the petitioner by leveling false, baseless and frivolous allegations. It is stated that the petitioner is innocent and has not committed any offence much-less the one alleged against him and that the impugned FIR came to be registered only with an intention to pressurize the petitioner and his family to enter into compromise with respect to FIR No.50/2019.
04. In the objections filed by respondent No.2, it is stated that she is the legally wedded wife of the petitioner and that their married life was being continuously disturbed by her father, due to which they filed WP(C) No.2023/2025 seeking protection. Out of the wedlock one child namely Anisha Kouser was also born. She has further stated that no offence has been committed by the petitioner.
05. On 28.11.2025, when the case was taken up, petitioner and respondent No.2 were directed to appear before the Registrar Judicial for recording



their statements. Both the parties have recorded their statements before the Registrar Judicial, which are placed on the record of the file.

06. The question, which arises for consideration is whether the proceedings can be quashed on compromise between the parties, is no longer *res integra*. The Hon'ble Apex Court in **Narinder Singh and others vs. State of Punjab and others, (2014) 6 SCC 466**, framed guidelines for accepting the settlement for quashing the proceedings or refusing to accept the settlement with direction to continue with criminal proceeding.

Paragraph Nos. 29.3, 29.4 & 29.5 being relevant 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.

29.4 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.

29.5 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."

07. In the present case also, the offence alleged against the petitioner does fall within the offence of heinous nature but keeping in view the nature of the allegations and also considering the fact that the respondent No.2, who is complainant in the impugned FIR, has in categorical terms stated that petitioner is her husband and that no offence has been committed upon her by him. In her statement she has also stated that she has no objection if the impugned FIR is quashed.



08. In view of the compromise entered into between the parties, there are bleak chances of conviction and continuation of criminal proceedings will cause grave injustice to the parties and would amount to abuse of the process of Court, as the parties are no longer interested in pursuing the same.
09. In view of the aforesaid discussion as well as law laid down by the Hon'ble Apex Court to secure the ends of justice, this petition is allowed. Accordingly, FIR No.54/2024 registered at Police Station, Kandi, District Rajouri along with subsequent proceedings taken thereon is quashed.
10. Disposed of accordingly.

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11. In view of the order passed in CRM(M) No. 511/2024, whereby FIR No.54/2024 registered at Police Station, Kandi, Rajouri has been quashed, no further orders are required to be passed in this bail application.
12. Accordingly, this application shall also stand disposed of.

**(Moksha Khajuria Kazmi)**  
**Judge**

**Jammu**  
17.04.2026  
Vinod, PS

Whether order is reportable: No