

In the Court of Additional Special Mobile Magistrate Reasi

JIOCODE: JK00243

CNRNO:- JKRS030020622022

File No	Date of Institution	Date of Decision
31/complaint	16/11/2021	16/11/2022

Prem Singh S/o Chatter Singh R/o village Thalkote Tehsil Chassana and District Reasi

APPLICANT
Through LC Rakeshjeet Singh

VERSUS

Parmod Singh Bajju SHO PS Chassana

Non Applicant

In the matter of:- Application for the initiation of the contempt proceedings against the non applicant.

Coram :- Priyanka Mahajan

ORDER

1. Vide this order I shall dispose of the instant application which has been presented to me by the Ld. counsel for the applicant today. Let the same be dialysed in the concerted register and office report. Peruse the application. Through this application the applicant has prayed that contempt proceeding may be initiated against the non-applicant for the disobedience to the order passed by this court in a complaint dated "Prem Singh versus Khalis Ahraf and others" in terms of section 156(3) Cr.P.C. in which direction was passed to register an FIR and investigate in the matter on 05/05/2022.
2. I have gone through the contents of the application and the material placed on record along with the application. The applicant has mentioned in the application that accused persons referred the criminal revision petition on 07/05/2022 before the court of Sessions Judge Reasi wherein the said order dated 5th may 2022 was kept in abeyance and then the said petition was

Priyanka Mahajan
Addl. Special Mobile Magistrate,
Reasi

dismissed on 04/07/2022. Later on the non applicant is again filed a petition before the Honble High Court of J&K and Ladakh and succeeded to get the stay order dated 15/07/2022. Since the non-applicant has failed to register an FIR against the accused person till 14th July 22 the proceedings for the contempt of court may be initiated against him.

3. It is worthwhile to mention that the applicant himself has stated in the application that the order of this court dated 05/05/2022 in which direction to register an FIR was passed to the non-applicant was firstly stayed by Ld. court of Sessions Reasi on 7th may 2022 and then by the Honble High Court of Jand K and Ladakh vide order dated 15/07/2022. The said stay order is in force and not vacated yet. As such the application is dismissed hereby as premature since the matter is sub judice in the Honble High Court. The application has no merit and is dismissed. Same shall be consent records after due compilation under the rules.

Announced

16/11/2022.

Priyanka Mahajan
ASMM REAST
Addl. Special Mobile Mag.
PRIYANKA MAHAJAN