S. No. 75
Before Notice Matters

HIGH COURT OF JAMMU &KASHMIR AND LADAKH AT SRINAGAR

CrlM No. 753/2022
CRM(M) No. 245/2022
CrlM No. 754/2022

Bashir Ahmad Dar …..Petitioner(s)

Through: Mr. M. Y, Bhat, Sr. Adv.
With Mr. Furkaan, Adv.

V/s

Khushboo Jan ….. Respondent(s)

Through:

CORAM:

Hon'ble Mr. Justice Sanjay Dhar, Judge.

ORDER
04.07.2022

CrlM No. 739/2022:

For the reasons stated in the application, the same is allowed and the requirement of filing certified copy of the impugned judgment, for the time being is dispensed with. However, the petitioner shall file the same as and when the same becomes available to him.

CrlM disposed of.

CRM(M) No. 245/2022:

The petitioner has challenged order dated 17.05.2022 passed by Judicial Magistrate 1st Class (Munsiff Baramulla) whereby the learned Magistrate has in a proceedings under Section 125 of Cr.PC, granted interim maintenance of Rs. 20,000/- in favour of the respondent.

It has been contended by learned senior counsel for the petitioner that admittedly respondent happens to be major daughter of petitioner and as such, absence of any physical or mental abnormality or injury, she is not entitled to any maintenance from her father-the petitioner herein. It is

contended that this aspect of the matter has been totally ignored by the learned Magistrate while passing the impugned order.

There appears to be prima facie merit in the submission made by learned senior counsel for the petitioner and as such, a case for grant of interim indulgence is made out.

Issue notice to the respondent. Notice be sent to the respondent through process serving agency of the District Court, Baramulla.

In the meantime, impugned order passed by the learned Magistrate shall remain stayed.

List on 09.08.2022.

HIGH COURT JAMMU & KASHMIR AND LADAKH

(Sanjay Dhar)
Judge

SRINAGAR
04.07.2022
"Aasif"