

**IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH**  
**AT SRINAGAR**  
**CRM(M) 478/2026 CrIM(1097/2026)**  
**MEHRAJ UD DIN MIR** ..... Petitioner(s)

Through: Mr. Sajad Ashraf, Advocate.  
V/s  
**SHAHZADA BANO** ..... Respondent(s)  
Through:

**Coram:**  
**Hon'ble Mr. Justice Sanjay Dhar, Judge**

**ORDER**  
20.07.2026

1. The petitioner, through the medium of present petition, has challenged proceedings initiated by the respondent against him under the provision of Protection of Women from Domestic Violence Act (hereinafter referred to as DV Act) which are stated to be pending before the court of learned Chief Judicial Magistrate, Ganderbal. Challenge has also been thrown to the proceedings under Section 125 of Cr.PC pending before the court of learned Additional Special Mobile Magistrate, Ganderbal
2. Learned counsel for the petitioner has submitted that the marriage between the petitioner and the respondent was dissolved in the year 2010 which fact has been admitted by the respondent in previous proceedings under Section 488 of the J&K Cr.PC. It has also been contended that with regard to daughter of the parties, a compromise was arrived at between the parties during the

pendency of the DV Act proceedings and she has been paid marriage expenses by the petitioner in terms of the said compromise. It has been further submitted that the respondent has resorted to repeated petitions under Section 125 of Cr.PC and the DV Act despite previous proceedings having been dismissed by the courts at various stages. According to the learned counsel, the respondent is abusing the process of the court by filing repeated petitions against the petitioner.

3. Having heard learned counsel for the petitioner and having perused the material on record, there appears to be *prima facie* merit in the submissions made by the learned counsel for the petitioner, as such, a case for grant of interim indulgence is made out.
4. Issue notice to the respondents subject to taking of necessary steps by the petitioner within one week.
5. In the meantime, the proceedings pending before learned Chief Judicial Magistrate, Ganderbal and those pending before the learned Additional Special Mobile Magistrate, Ganderbal shall remain stayed.
6. List on 31.08.2026.

(Sanjay Dhar)  
Judge

**SRINAGAR**

20.07.2026

*Aasif*