

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

CRM(M) No. 23/2022

CrIM No. 34 of 2022

Musharrat Ali

.....Appellant(s)/Petitioner(s)

Through: Mr. Sandeep Singh, Advocate

Vs

UT of J&K and anr.

..... Respondent(s)

Through:

Coram: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER

09.02.2022

The petitioner has challenged FIR No. 47/2021 for offences under Sections 354/509/323/341 IPC registered with Police Station, Pacca Danga Jammu.

It is the case of the petitioner that there is a civil dispute going on between the father of the petitioner and the complainant party and that the impugned FIR is an off-shoot of the aforesaid civil litigation. It is contended that the impugned FIR has been lodged by respondent No. 2 in order to pressurize the father of the petitioner so that he does not pursue the civil litigation. It is also contended that even otherwise, the parties have entered into a compromise and in this regard, a copy of the compromise deed has been placed on record.

Having heard learned counsel appearing for the petitioner and having perused the material placed on record, a case for grant of interim indulgence is made out.

Issue notice to respondents. Notice be sent to respondent No. 1 through Mr. Amit Gupta, learned AAG. Notice be sent to respondent No. 2 through concerned Police Station.

Learned counsel for petitioner is directed to furnish a copy of the petition to Mr. Amit Gupta, learned AAG who may file his response by or before the next date of hearing.

List on 25.04.2022.

In the meantime, it is provided that the investigation in the impugned FIR shall go on, but in case respondent No. 1 intends to file challan against the petitioner, the same shall not be done without prior permission of this Court.

Jammu
09.02.2022
Paramjeet

(Sanjay Dhar)
Judge

