

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

CRM(M) No. 106/2025

Pankaj Sharma and anotherAppellant(s)/Petitioner(s)

Through: Mr. Ajay Bakshi, Advocate.

vs

UT of J&K and another Respondent(s)

Through: Ms. Tejaswani Anand, Advocate vice
Mr. Bhanu Jasrotia, GA
Mr. Deepak Sharma, Advocate
Investigating Officer-Mr. Varinder Sharma
(Present in person).

Coram: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER
01.03.2025

1. The petitioners have filed the present petition for quashing the order dated 03.02.2025 passed by the court of learned JMJC Sunderbani under Section 175(3) BNSS and FIR No. 08/2025 dated 04.02.2025 registered with Police Station, Sunderbani at the instance of respondent No. 2 for commission of offences under Sections 87, 351(3), 3(5) BNS, 2023.
2. It is contended that false and frivolous FIR has been got registered by the respondent No. 2 as she had voluntarily entered into marriage with the petitioner No. 1, in respect of which marriage agreement dated 22.08.2024 has been registered between the petitioner No. 1 and the respondent No. 2. The petitioners have also placed on record the marriage certificate issued by the Arya Samaj, Janipur Colony Jammu as also photographs in respect of solemnization of the alleged marriage.

3. The respondents have not filed response. However, Investigating Officer, Mr. Varinder Sharma is present in person along with the CD file. He submits that he has recorded statement of pandit who had solemnized the marriage.
4. Respondents seek time to file reply.
5. Time is granted to the respondents to file response.
6. List on **07.03.2025**.
7. In the meantime, subject to objections from the other side and till next date of hearing before the Bench, investigation in the FIR impugned shall stay except to the extent of determining the authenticity of the marriage agreement, Whatsapp Chat and photographs in respect of solemnization of marriage placed on record by the petitioners.
8. CD file, after perusal, is returned back to the learned counsel for the official respondents in the open court.

(RAJNESH OSWAL)
JUDGE

Jammu
01.03.2025
Sahil Padha