

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

CRM(M) No. 194/2023

Harish Kumar

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

Through: Mr. Sunil Sethi, Sr. Advocate with  
Mr. Parimoksh Seth, Advocate and  
Mr. Tejashwar Singh Chib, Advocate

**Vs**

UT of J&K

..... Respondent(s)

Through: Mr. Suraj Singh, GA

**Coram: HON'BLE MR. JUSTICE PUNEET GUPTA, JUDGE**

**ORDER**

The challan has been filed in pursuance to the FIR No. 62/2022 registered with Police Station, Reasi for the commission of offence under Section 379 IPC and 3 /4 of the Prevention of Damage to Public Property Act, 1984. The same is challenged on the ground that the respondent could not proceed against the petitioner herein as per Mines and Minerals (Development and Regulation) Act, 1957 and for the fact that he has been given the block for mining for which the challan is filed.

Issue notice. Mr. Suraj Singh, learned GA accepts notice on behalf of the respondent. He seeks and is granted time to file objections.

List on 03.05.2023.

Meanwhile, the proceedings in the challan No. 19/2022 pending before the Court of Chief Judicial Magistrate, Reasi shall stay.

**(Puneet Gupta)  
Judge**

**Jammu**  
10.03.2023  
Tarun