

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

Case:- CRM(M) No. 279/2024
CrlM No. 628/2024

Kanav Sudan

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

Through: Mr. Dhiraj Choudhary, Advocate.

Vs

UT of J&K and others

..... Respondent(s)

Through:

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(29.04.2024)

1. Property feud seems to have been used as a pretext for registration of FIR No. 0099 dated 19.07.2023 with the Police Station, Bakshi Nagar, Jammu at the instance of the respondent No. 3-Jyoti Kumari for alleged commission of offences under section 336/504/509 Indian Penal Code, 1860. This FIR resulted in investigation and consequent presentation of the final police challan No. 27/2024 dated 30.03.2024 for alleged commission of offences under section 336/504/509/341/354/506 Indian Penal Code, 1860 against the petitioner.

2. The petitioner is aggrieved of the fact that the criminal law has been misused against him by the respondent No. 3 which is born out from the tone and tenor of the allegations made and the background in which the property dispute is the root cause of the false FIR getting registered against him and the final police report has been presented before the court of Judicial Magistrate 1st Class (Passenger Tax), Jammu.

3. Through the medium of the present petition, the petitioner is seeking quashment of the entire criminal case by invoking inherent powers of this Court under section 482 of the Code of Criminal Procedure, 1973.
4. *Prima facie* case is made out.
5. Issue notice to the respondents.
6. Petitioner to furnish registered postal covers for the service of the respondents within seven days, whereupon the Registrar Judicial, Jammu to issue notices to the respondents.
7. List on 31.05.2024.
8. Send for the record of the criminal challan/final police report from the court of Judicial Magistrate 1st Class(Passenger Tax), Jammu.
9. In the meantime, further proceedings on the file of the challan No. 27/2024 dated 30.03.2024 pending before the court of Judicial Magistrate 1st Class (Passenger Tax), Jammu shall remain stayed. This order is, however, subject to objections from the other side.

(RAHUL BHARTI)
JUDGE

JAMMU
29.04.2024
Shivalee