

HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU
(Through Video Conference)

CrlM No. 90/2021 in
CRM (M) No. 287/2020

Fareeda Begum and another

...Petitioner/Applicant(s)

Through :- Mr. Mudasir Bin Hassan, Advocate

v/s

UT of J&K and ors.

.....Respondent (s)

Through :- Mr. Aseem Sawhney, AAG

Coram: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE
(Through Video Conference from High Court Jammu)

ORDER
22.01.2021

The present application has been filed by respondent Nos. 1 and 2 seeking permission of this Court to present the challan as the remand period of 90 days has expired on 12.01.2021. A perusal of order dated 29.09.2020 reveals that this Court had directed the respondent Nos. 1 and 2 not to file challan in the impugned FIR without permission of this Court.

The respondent Nos. 1 and 2 have filed the status report in which it is stated that the statement of petitioner No. 1 has been recorded on 07.01.2021 and it is further submitted that in view of her statement, offences under sections 363 and 376 IPC and 4 POCSO stand proved against the petitioner No. 2.

Without commenting upon the merits of the petition as well as status report filed by the respondents, this Court deems it appropriate to permit the respondent Nos. 1 and 2 to present the challan before the trial court.

List the main petition on 17.02.2021.

Mr. Mudasir Bin Hassan, learned counsel for the petitioners submits that petitioner No. 2 has already filed bail application and the order passed by this Court may cause prejudice to the petitioner No. 2.

It is made clear that any observation made by this Court hereinabove shall not cause any prejudice in consideration of the bail application, if any, filed by petitioner No. 2.

In view of the urgency expressed, let a copy of this order be issued to Mr. Aseem Sawhney, AAG under the seal and signatures of the Reader.

(RAJNESH OSWAL)
JUDGE

JAMMU
22.01.2021
Rakesh

