

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

CRM(M) No. 416/2024

Alok Betab & Anr.

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

Through: Mr. Sunil Sethi, Sr. Advocate with
Mr. Paras Gupta, Advocate.

vs

UT of J&K & Ors.

..... Respondent(s)

Through: Mr. P D Singh, Dy. AG.

Coram: HON'BLE MR. JUSTICE RAJESH SEKHRI, JUDGE

ORDER

05.06.2024

The case set out by the petitioner is that a closure report came to be filed by the investigating agency of Police Station, Domana in case FIR No. 07/2023 in the Court of learned Judicial Magistrate 1st Class, (Sub Judge) Jammu, which was fixed for consideration on 28.03.2024. The complainant, namely, Surinder Pal Kour, moved an application on 02.03.2024 for preponement of closure report. Statement of the complainant came to be recorded and learned trial Court vide impugned order dated 07.03.2024, directed further investigation of the case on the statement of the complainant that she was not satisfied with the closure report.

Petitioners are aggrieved of the impugned order, primarily on the ground that it is violative of the principles of natural justice, as no opportunity of being heard was provided to them and that learned trial Court has not assigned any reason for further investigation.

Prima facie, a case for indulgence is made out.

Notice.

Mr. P D Singh, learned Dy. AG accepts notice on behalf of respondents no. 1 and 2. He seeks and is granted four weeks' time to file objections.

Notice shall go to respondent no. 3, returnable within four weeks. Requisite steps for service be taken within one week.

List on 26.07.2024.

Meanwhile, impugned order shall stay.

(Rajesh Sekhri)
Judge

Jammu
05.06.2024
Abinash

