

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

Case:- CRM(M) No. 463/2024
CrlM No. 941/2024

Dharam Chand Sharma & Ors.Appellant(s)/Petitioner(s)

Through: Mr. Mohinder Kumar, Advocate.

Vs

UT of J&K & Anr.

..... Respondent(s)

Through: Ms. Sagira Jaffar, Assisting counsel
vice
Mrs. Monika Kohli, Sr. AAG for R-1.

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

ORDER
(20.06.2024)

- 01.** Satya Naresh is the son of petitioner Nos. 1 and 2 and brother of petitioner Nos. 3 to 6. Said Satya Naresh is married to the respondent No. 2 – Suman Lata. The respondent No. 2 – Suman lata has booked all the petitioners along with her husband – Satya Naresh in an FIR No. 0014/2024 dated 05.06.2024 registered with Police Station Women Cell, Udhampur for alleged commission of offences 498-A/323 Indian Penal Code (IPC).
- 02.** Learned counsel for the petitioners submits that even the marriage between Satya Naresh and the respondent No. 2 – Suman Lata was, in fact, borne out of courtship obtaining

between the Satya Naresh and the respondent No. 2 – Suman Lata.

- 03.** The petitioner No. 1 as being father had disinherited his son, namely, Satya Naresh for his misconduct as son in the year 2016 itself.
- 04.** Learned counsel for the petitioners plead that Satya Naresh as well as the respondent No. 2 – Suman Lata are government servants and he also submits that both husband and wife are not part of the household of the petitioner Nos. 1 and 2 as they have been putting separately.
- 05.** Learned counsel for the petitioners further submits that Satya Naresh is psychiatric patient, who at present undergoing treatment at Air Force Command Hospital, Bangalore and that the respondent No. 2 has subjected the petitioners to harassment instead of attending to the ailing husband.
- 06.** *Prima facie* case is made out.
- 07.** Issue notice to the respondents. Notice waived by Ms. Sagira Jaffar, Assisting counsel vice Mrs. Monika Kohli, learned Sr. AAG on behalf of the respondent No. 1.
- 08.** Notice will go to respondent No. 2 only.

- 09.** Petitioners to furnish registered postal cover for the service of the respondent No. 2 within a period of 7 days, whereupon notice to go to respondent No. 2.
- 10.** List on 19.07.2024.
- 11.** In the meantime, further investigation in FIR No. 0014/2024 dated 05.06.2024 registered with the Police Station Women Cell, Udhampur shall remain stayed. This direction is, however, subject to objections from the other side.

JAMMU
20.06.2024
Bunty

