

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

CRM(M) No. 574/2023
CrIM No. 1104/2023
CrIM No. 1105/2023

R. D. Pawar

..... Petitioner(s)

Through: Mr. R. Koul, Advocate

Vs

UT of J&K and others

..... Respondent(s)

Through:

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

ORDER
03.07.2023

Heard learned counsel for the petitioner.

The petitioner is a director of company namely M/s Gima Infra Project Pvt. Ltd. who has come to be implicated as an accused in FIR no. 19/2022 dated 20.02.2022 for alleged commission of offences under section 420/120-B Ranbir Penal Code registered by the Police Station Crime Branch, Jammu at the instance of the respondent no. 3 – Sanjay Abrol. Learned counsel for the petitioner submits that a case of a civil nature is being given the colour of a criminal accusation by the complainant-respondent no. 3 to arm-twist the company M/s Gima Infra Project Pvt. Ltd. over contractual dealing which obtained between

the company and the complainant-respondent no. 3 at the relevant point of time.

Prima facie case is made out.

Issue notice to the respondents.

Mr. Adarsh Bhagat, learned GA accepts notice on behalf of the respondents 1 & 2 vice Mrs. Monika Kohli, learned Sr. AAG.

Issue notice to the respondent no. 3.

Petitioner to file registered postal cover for service of the respondent no. 3 within a period of fifteen days, whereupon the Registrar Judicial, Jammu to issue notice to the respondent no. 3.

In the meantime, the investigation in the FIR no. 19/2022 dated 20.02.2022 registered with the Police Station, Crime Branch, Jammu shall remain stayed.

I. O. concerned to appear before this Court along with the case diaries with respect to investigation conducted in the case with effect from the date of registration of FIR till passing of this order.

It is informed by the learned counsel for the petitioner that the petitioner has come to be arrested by the Police Station Crime Branch, Jammu on 05.06.2023 and is now in custody on judicial remand. Learned counsel for the petitioner submits that the petitioner has applied for bail before the court of Sessions Judge, Jammu and the

matter is under cognizance for that purpose before the court of Sessions Judge, Jammu. Given the fact that this Court is coming forward with staying the investigation of the FIR no. 19/2022, as such, it is expected that the court of Sessions Judge, Jammu who is seized of the bail application of the petitioner will take notice of the order staying the investigation of the FIR no. 19/2022 passed by this Court.

List this case on 23.08.2023.

Jammu
03.07.2023
Muneesh

