

HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU

CRM(M) No.673/2022

Mohd. Ishtiyaq Khan and others ...Petitioner(s)

Through:-Mr. A.M.Malik, Advocate

V/s

Union Territory of J&K and others ...Respondent(s)

Through:-

Coram: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER

The petitioners have challenged FIR No.92/2022 for offences under Section 447, 323, 504, 506, 34 IPC registered with Police Station, Gursai District Poonch.

It is contended by the learned counsel for the petitioners that the impugned FIR has been lodged by respondent No.3, the complainant, as a counter blast to FIR No.90/2022 for offence under Section 419, 420, 467, 468 & 471 IPC registered with Police Station, Gursai. It has been further submitted that at the instance of respondent No.3, the complainant, tempering in the revenue record has been made, which has resulted in lodging of the aforesaid FIR by the son of petitioner No.1, which has prompted respondent No.3 to lodge the impugned FIR.

Having heard learned counsel for the petitioner and having perused the material on record, a case for grant of interim indulgence is made out.

Issue notice to the respondents.

Notice be sent to respondent Nos. 1 and 2 through Mr. Adarsh Bhagat, GA. Learned counsel for the petitioners shall furnish a copy of the petition to Mr. Bhagat, who may respond to it by or before the next of hearing.

Notice to respondent No.3 be sent through concerned Police Station.

In the meanwhile, it is provided that the investigation in the impugned FIR shall go on but in case respondent No.2 intends to file challan against the petitioners, the same shall not be filed without prior permission of this Court.

List on 4th November, 2022.

(Sanjay Dhar)
Judge

Jammu
15.09.2022
Vinod.