

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

CRM(M) No. 763/2022  
CrIM No. 1586/2022

Zakir Hassan Malik and others .....Appellant(s)/Petitioner(s)

Through: Mr. Sachin Gupta, Advocate

**Vs**

UT of J&K and others ..... Respondent(s)

Through:

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

**ORDER**

The petitioners have challenged the order dated 26.07.2018, whereby learned District Judicial Mobile Magistrate, Doda has directed further investigation in FIR No. 242/2017 for the commission of offences under Sections 366/307 RPC registered with police station, Doda by observing that the matter requires reinvestigation.

It is contended by learned counsel for the petitioners that the impugned order is devoid of any reasons and the same has been passed in a mechanical manner. The learned counsel has further submitted that a Magistrate does not have power to direct reinvestigation of the case but in the instant case, the learned Magistrate has observed in the impugned order that the matter requires reinvestigation.

There appears to be prima-facie merit in the submission of learned counsel for the petitioners.

Issue notice to the respondents.

Notice be sent to the respondent Nos. 1 & 2 through Mr. Adarsh Bhagat, learned GA. Notice be sent to respondent No. 3 through the concerned police station.

Be listed on 22.11.2022.

In the meanwhile, the impugned order passed by the learned Magistrate shall remain stayed.

**(SANJAY DHAR )  
JUDGE**

**Jammu**  
30.09.2022  
Tarun

