

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

CRM(M) No. 767/2022
CrIM No. 1590/2022

Nisar Ahmad

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

Through: Mr. F.A Natnoo, Advocate.

Vs

UT of J&K and another

..... Respondent(s)

Through:

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

ORDER

The petitioner has challenged FIR No. 21/2022 for the commission of offences under Sections 352/342/323/506 IPC and Section 23 of Juvenile Justice Act registered with Police Station, Budhal.

Learned counsel for the petitioner has submitted that the allegations leveled in the impugned FIR which relate to beating up of a student by the petitioner were enquired into in a departmental enquiry and vide enquiry report dated 08.04.2022 of Zonal Education Officer, Kotranka, Rajouri, the petitioner has been exonerated from all the charges. According to learned counsel for the petitioner, the prosecution against the petitioner cannot sustain.

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 the respondent No. 1 through Mr. Bhanu Jasrotia, learned GA.

Learned counsel for the petitioner shall furnish a copy of the petition to Mr. Bhanu Jasrotia, learned GA, who may file his response by or before next date of hearing.

Be listed on 22.11.2022.

In the meanwhile, subject to objections from the other side and till next date of hearing, the investigation in the impugned FIR shall remain stayed.

**(SANJAY DHAR)
JUDGE**

Jammu
30.09.2022
Tarun

