

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

**CRM(M) No. 881/2022
CrIM Nos. 1819 & 1820/2022**

Orusah Muzaffar Bhat & Ors.

....Petitioner/Appellant(s)

Through :- Mr. Muzaffar Iqbal Khan, Advocate

V/s

U.T of J&K & Ors.

....Respondent(s)

Through :-

Coram: HON'BLE MR. JUSTICE MOHAN LAL, JUDGE

**ORDER
03.11.2022**

1. Petitioners are aggrieved of FIR No. 252/2022 dated 30.09.2022 of Police Station Bahu Fort, Jammu registered against the petitioners for the offences under Sections 451, 323, 504, 506, 34, 382 and 511 IPC and challenged the same through the medium of instant petition by invoking inherent jurisdiction of this Court in exercise of powers u/s 482 of Code of Criminal Procedure for quashment of the said FIR.
2. The facts in brief are that petitioner No.1 was married with respondent No.4 in accordance with Muslim Personal Law in the year 2020 and after marriage she was putting up with her husband and other family members at Jammu quite comfortably. In the month of November 2021, the attitude and the behavior of husband of petitioner No.1 all of sudden changed to an extent which resulted in continuous domestic violence and physical assault upon petitioner No.1. The respondent Nos. 3 & 4 hatched a conspiracy and lodged false, frivolous FIR No. 252/2022 dated 30.09.2022 at Police Station Bahu Fort, Jammu against the petitioners for offences under Sections 451, 323, 504, 506, 34, 382 and 511 IPC and the police of Police Station Bahu Fort, Jammu are hell bent to investigating the case by arresting the petitioners in the aforesaid FIR.
3. Perusal of the record suggest that there is substance in the submissions made by learned counsel for the petitioners and existence of a prima facie case entitling the petitioners to the grant of interim relief at this stage.

4. Issue notice to the respondents returnable within two weeks for filing response.
5. List on 28.11.2022.
6. Meanwhile, subject to objections from other side and till next date of hearing before the Bench, investigation in case FIR No. 252/2022 dated 30.09.2022 registered at Police Station Bahu Fort, Jammu for the offences under Sections 451, 323, 504, 506, 34, 382 and 511 IPC shall remain stayed.
7. Alteration/modification on motion.

(Mohan Lal)
Judge

Jammu:
03.11.2022
Vijay

