

Regular List
Serial No. 01

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

CRMC No. 239/2011
c/w
CRMC No. 82/2011
CRMC No. 83/2011

Raj Kumar Gupta

.....Petitioner

Through: Mr. Aniruddh Sharma, Advocate
in **CRMC No. 239/2011**

Mr. Kewal S. Sidhu, Advocate &
Mr. Amit Sharma, Advocate
Mr. Sushant Gupta, Advocate
in **CRMC No. 82/2011**

None in **CRMC No. 83/2011**

Vs

State of J&K & Anr.

.....Respondents

Through: Mrs. Monika Kohli, Sr. Advocate with
Ms. Malvika Gupta, Advocate

सत्यमेव जयते

CORAM: HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE
ORDER
(20.08.2026)

- 01.** Learned counsel appearing for the CBI, while making submissions, states that no sanction is required to prosecute the petitioner-D.S. Nehra, in **CRMC No. 82/2011**, in view of the law laid down by the Coordinate Bench of this Court in a case **CRM(M) No. 314/2023**, titled “*Ghulam Rasool Baba Vs. Principal Secretary to Government & Anr.*”, decided on **19.12.2025**, wherein it has been held that no sanction is required once a public servant attains the age of superannuation at the time of filing the charge-sheet.

CRMC No. 239/2011
c/w
CRMC No. 82/2011
CRMC No. 83/2011

02. Learned counsel appearing for the petitioner, however, submits that, to prosecute the petitioner, sanctions are required under as many as **three Acts**.
03. Learned counsel for the petitioner has taken note of the aforesaid judgment **dated 19.12.2025** and is directed to address his rebuttal on the next date of hearing.
04. List on **03.09.2026**.

JAMMU
20.08.2026
SUNIL

