

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

**CRM(M) No. 170/2023
CrIM No. 305/2023, 306/2023**

Mohd. Azam and others Appellant(s)/Petitioner(s)

Through: Mr. Sarfaraz Shah, Advocate.

vs

UT of J&K and others Respondent(s)

Through: Mr. Eishan Dadichi, GA.

Coram: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

**ORDER
12.12.2025**

ORAL

1. This petition has been filed by the petitioners for quashing FIR No. 0029/2023 dated 17.02.2023 registered with Police Station, Surankote under Sections 382, 504, 506, 427, 336, 341, 323 and 147 IPC on the ground that the same was registered as a counter-blast to the FIR No. 0154/2022 dated 10.06.2022 registered with Police Station, Surankote for offences under Sections 341, 323, 147, 427 IPC and 3/25 Arms Act against 13 persons including respondent No. 4, who is figuring as accused No. 1 in the FIR No. 154/2022 at the instance of petitioner No. 4. It is further urged that the FIR impugned in this petition has been registered only for the purpose of pressurising the petitioners to enter into compromise with regard to FIR No. 154/2022.
2. Status report has been filed by the respondent No. 3, wherein it is stated the complainant, namely, Manzoor Hussain i.e. respondent No. 4 submitted a written application with Police Station, Surankote

against Nassar Ahmed and six other accused, all residents of Dhara Mohra, Surankote, wherein it was stated that on 17.02.2023 at about 1600 hours when the complainant-Manzoor Hussain was coming after performing Friday prayers from Jamia Masjid, Bafliaz, all the accused persons i.e. petitioners herein restrained the complainant, abused him and assaulted him with kicks and blows and pelted stones on him. Further, they threatened him of dire consequences, however, the complainant somehow escaped from the clutches of the accused persons.

3. On receipt of this application, FIR impugned was registered and investigation was started. During investigation, offence under Section 382 IPC was not found to be established. Further, petitioner No. 5-Aftab Ahmed and petitioner No. 7-Mushraf were not found involved in the incident. Accordingly, Investigating Officer deleted their names from the array of accused and also deleted offence under Section 382 IPC. Further, Investigating Officer proved the offences under Sections 341, 323, 147, 427, 504 and 506 IPC against the petitioners other than petitioner Nos. 5 and 7.

4. **Heard learned counsel for the parties and perused the record.**

5. The contention of the petitioners that the FIR impugned has been lodged as a counter-blast to the FIR No. 154/2022, registered at the instance of petitioner No. 4 against the respondent No. 4, cannot be appreciated at this stage, as it amounts to defence of the petitioners, which can be considered only during trial.

6. In view of above, the present petition along with the connected application is dismissed qua the petitioners other than petitioner Nos. 5 and 7. So far as petitioner Nos. 5 and 7 are concerned, the present petition along with the connected application is disposed of as having been rendered infructuous.

(RAJNESH OSWAL)
JUDGE

Jammu
12.12.2025
Sahil Padha

Whether the order is speaking: Yes/No.
Whether the order is reportable: Yes/No.

