

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

CRM(M) No. 1326/2025

CrIM No. 2462/2025

Razat Kesar

.....Appellant(s)

Through: Mr. Aman Bhagotra, Advocate

Vs

UT of J&K and Anr.

..... Respondent(s)

Through: Ms. Shazia Asif, Advocate vice
Mr. P. D. Singh, Dy. AG

Coram: HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE

ORDER
16.12.2025

01. Heard.

02. Through the medium of the instant petition filed under and in terms of the provisions of Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS" for short), the petitioner has sought the quashment of the order dated 19.11.2025 passed by the Court of learned Special Municipal Mobile Magistrate, Jammu (hereinafter referred to as "trial Court" for short) in criminal case bearing File No. 8091/2021 of Police Station Jhajjar Kotli, Jammu bearing case FIR No. 155/2019, whereby the learned trial Court has framed the charges against the petitioner/accused under Sections 354 and 506 IPC, on the main grounds that the criminal case/charge-sheet giving rise to the aforesaid impugned order is the outcome of a false and frivolous cross FIR lodged by the complainant/respondent No.2 to wreck vengeance. That the FIR bearing No. 0154/2019 stood already registered with the same Police Station in

respect of the commission of offences committed by the respondent No.2/complainant and others in relation to the petitioner.

03. It is submitted by the learned counsel for the petitioner that the charge-sheet wherefrom the impugned order dated 19.11.2025 originates, is outcome of frivolity being a cross FIR. He submitted that it is actually the respondent No.2/complainant on whose false and frivolous complaint, the case FIR bearing No. 155/2019 came to be registered with Police Station Jhajjar Kotli, Jammu and her other family members, committed the offences punishable under Sections 323, 341, 447 and 147 IPC in relation to the petitioner.

04. The learned counsel submitted that it is very common that the accused persons after the commission of offences, use to file counter FIRs to hide their criminal acts and to pressurize the real complaints/victims.

05. It is revealed from the perusal of the record of the file that the learned trial Court has already framed charges in the case. The Court has gone through the impugned order dated 19.11.2025 passed on the File No.8091/2021 by the learned trial Court. It is submitted by the learned counsel for the petitioner that the charge-sheet/final report in her case FIR bearing No. 0154/2019 of the same Police Station Jhajjar Kotli, Jammu stands also filed and is pending before the Court of learned Forest Magistrate, Jammu.

06. In the facts and circumstances of the case, this Court is of the opinion that it may meet the ends of justice in case, both the criminal cases/charge-sheets arising out of case FIR Nos. 0154 and 0155 both dated 19.11.2025 of Police Station Jhajjar Kotli, Jammu are directed to be tried by the same Court. It is, accordingly, felt appropriate to dispose of the case at this threshold stage by

passing of such a direction.

07. However, at this stage, it is submitted by the learned counsel for the petitioner that he seeks the withdrawal of the instant petition. His statement is taken on record.

08. Accordingly, the instant petition is, **dismissed as withdrawn** along with all miscellaneous application(s), if any filed.

09. Disposed of.

(Mohd. Yousuf Wani)
Judge

Jammu
16.12.2025
Riya Kochhar

