

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

Crl R No. 46/2026  
CrlM No. 1399/2026

Rajinder Kumar

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

Through:- Mr. Vikram Sharma, Sr. Advocate with  
Mr. Sachin Dev Singh, Advocate &  
Mr. Supreet Singh, Advocate.

V/s

UT of J&K Ors.

.....Respondent(s)

Through:- Mr. Raman Sharma, Sr. Advocate with  
Ms. Saliqa Sheikh, Advocate.

**CORAM : HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE**

**ORDER**  
**29.09.2026.**

1. The petitioner through the medium of the present petition has challenged order dated 20.07.2026 passed by the learned Special Judge, Anti-Corruption, Jammu whereby his application seeking de-freezing/de-attachment of his salary account No. 01100040100016687 maintained with J&K Bank, Moving Secretariat Branch, Srinagar has been dismissed.
2. Heard learned counsel appearing for the parties and perused the material on record.
3. It appears that the respondent- Anti-Corruption Bureau, Jammu has registered an FIR No. 02/2024 for offences under Section 13(1)(b) read with Section 13(2) of the Prevention of Corruption Act, 1986 against the petitioners alleging therein that he is in possession of assets disproportionate to his known sources of income. The said FIR stands challenged by the petitioner by way of petition under Section 482 of Cr.P.C. bearing CRM(M) No. 107/2024 wherein an interim order came to

be passed by this Court on 23.02.2024 directing stay of investigation. While the aforesaid order was in operation, the petitioner approached the learned Special Judge, Anti-Corruption, Jammu seeking de-freezing of his salary account which has been attached by the investigating agency during the course of investigation.

4. The learned Special Judge vide impugned order dated 20.07.2026 has refused to consider the application on its merits on the ground that investigation in the impugned FIR has been stayed by this Court.

5. Ordinarily, the application warranted a remand to the learned Special Judge for its consideration on merits, notwithstanding the stay order passed by this Court, but having regard to the fact that the petitioner has been pursuing this application for a long time and keeping in view the submission of learned Senior counsel for the petitioner that grave hardship is being faced by the petitioner as he is not able to draw his salary, the application is being taken up for consideration on its merits.

6. As already noted, the allegation against the petitioner is that he is in possession of assets disproportionate to his known sources of income. So far as the salary of the petitioner is concerned, the same constitutes his legitimate source of income. Therefore, it cannot be made the subject matter of attachment. To this limited extent, the prayer made by the petitioner appears to be genuine.

7. Accordingly, while setting aside the impugned order passed by the learned Special Judge, Anti-Corruption, Jammu, the application of the petitioner is **allowed** to the limited extent that he shall be permitted to receive his salary and withdraw the amount credited to his account

towards salary and his bank account shall stand defreeze to the aforesaid limited extent.

8. The petition stands **disposed of**.

**(Sanjay Dhar)**  
**Judge**

JAMMU  
29.09.2026  
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