

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

**CRM(M) No.888/2024
CrIM No.1819/2024**

Date of pronouncement: 11.05.2026

Date of uploading: .05.2026

- 01. Kewal Krishan, Age 60 years
S/o Milkhi Ram R/o Korepunu
Tehsil Marheen, District Kathua**
- 02. Tarun Hansa, Age 18 years** ...Petitioner(s)
**S/o Kewal Krishan
R/o Korepunu Tehsil Marheen,
District Kathua.**

Through: Mr. D.K. Khajuria, Advocate.

Vs

- 01. UT of Jammu and Kashmir,
through I/C Police Station Raj Bagh, District Kathua.**
- 02. Surjeet Kumar S/o Milkhi Ram
R/o Korepunu Tehsil Marheen, District Kathua.**
- ...Respondent(s)

Through: Mr. Suneel Malhotra, GA.

CORAM: HON'BLE MR. JUSTICE RAJESH SEKHRI, JUDGE

**JUDGMENT
11.05.2026 (ORAL)**

- 01.** Petitioners have invoked inherent jurisdiction of this Court for quashment of FIR No.0232/2024 dated 11.11.2024 for offences under Sections 126(2), 115(2), 351(2) BNS registered with Police Station, Raj Bagh, District Kathua, primarily on the ground that it has been lodged to wreak vengeance against them in view of their joint holding along with the complaint over a landed property.

- 02.** As the prosecution story would unfurl, on 11.11.2024, private respondent lodged a criminal complaint with Police Station alleging *inter alia* that at around 5.00 p.m., while he was going to his field for the construction of plinth, petitioners restrained his way and started beating him with fists, blows and lathies. On raising alarm, one Parshotam saved his life otherwise, they would have killed him. On the receipt of this report, impugned FIR came to be registered against the petitioners.
- 03.** Petitioners have assailed the impugned FIR, *inter alia*, on the ground that since a landed property, under joint holding of the parties is situated abreast the road, the private respondent, with a view to occupy front portion of the land, has lodged the impugned FIR. It is also contention of the petitioners that petitioner No.2, who is a student and undergoing B.Tech Course from Jammu University Kathua Campus, Janglote has been involved in the case only with a view to pressurize his father-petitioner No.1 and at the time of occurrence, he was not present on the spot.
- 04.** Heard arguments and perused the file.
- 05.** This Court in exercise of inherent jurisdiction is vested with the power to prevent the abuse of the process of any Court or to secure the ends of justice, however, it is trite in law that if contents of an FIR or a complaint, as the case may be, *prima facie* disclose the commission of cognizable offence/offences, investigation of the case cannot be scuttled at the threshold.
- 06.** A perusal of the status report filed by the official respondent reveals that investigating agency during investigation has not only recorded statement

of material witnesses but also received medical report of the injured and as per the medical report, the injury caused to the victim is grievous in nature.

- 07. It is manifest from a plain reading of the status report that cognizable offences are disclosed against the petitioners. The pleas raised by the petitioners are required to be established by them during the course of the trial and cannot be considered in the petition for quashment of FIR.
- 08. For the foregoing reasons, present petition is found bereft of merit, hence **dismissed** along with connected application(s).
- 09. Interim direction, if any, shall stand vacated.

(Rajesh Sekhri)
Judge

Jammu
11.05.2026
Eva

Whether the judgment is speaking or not?	Yes/No
Whether the judgment is reportable or not?	Yes/No