

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

CRM(M) No. 56/2023
c/w
CRM(M) No. 171/2023

Ghulam Nabi

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

Through: Mr. M. Tariq Mughal, Advocate

vs

UT of J&K and Ors.

..... Respondent(s)

Through: Mr. Rupak Ratta, Advocate

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

ORDER
03.02.2026

- 01.** Since both the petitions arise out of same complaint pending on the files of learned Judicial Magistrate, Thanna Mandi, Rajouri, they are being disposed of by virtue of this common order.
- 02.** Petitioner is aggrieved of complaint dated 31.08.2022, filed in the Court of learned Judicial Magistrate, Thanna Mandi, Rajouri and police report dated 27.10.2022, primarily on the ground that procedure adopted by learned Magistrate with respect to non-cognizable offence is unknown to law.
- 03.** Mr. Rupak Ratta, learned counsel for private respondent No.5, complainant, has fairly conceded the legal position and has no objection to the quashment of impugned complaint and also police report subject, however, to the liberty to proceed in accordance with law. Statement of learned counsel for respondent No.5 is taken on record.

- 04.** In view of admission on the part of learned counsel for the complainant, present petition is allowed. As a consequence, impugned complaint titled "*State Vs. Gulab Nabi and Anr.*" is quashed. However, petitioner shall be at liberty to avail appropriate remedy in accordance with law.
- 05.** Both the petitions are disposed of along with connected CM(s).
- 06.** Interim direction, if any, shall stand vacated.

(Rajesh Sekhri)
Judge

Jammu
03.02.2026
Riya Kochhar

