Sr. No. 104

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

OWP No. 1112/2011

Dina Nath and another .....Appellant(s)/Petitioner(s)

Through :- Mr. R K S Thakur, Advocate

v/s

State of J&K and others .....Respondent(s)

Through :- Ms. Nisha Kangotra, Assisting counsel vice
Mrs. Monika Kohli, Sr. AAG
Mr. Sunil Sethi, Sr. Adv. with
Mr. Parimoksh Seth, Advocate

CORAM: HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER
20.08.2026

1. It is submitted by learned counsel for the respondents that case FIR No. 44/1999 of P/S Jhajjar Kotli, Jammu under Section 302 RPC has been closed as not admitted and the closure report stood accepted by the Court of Sub-Judge/Special Railway Magistrate, Jammu vide order dated 30.12.2025, rendering the present petition infructuous. However, learned counsel for the petitioners claims that, in addition to the proper investigation in the aforesaid FIR, there was another prayer made by the petitioners seeking transfer of investigation to some other agency.

2. Having regard to the submissions made at Bar, once the investigation stands completed and even the closure report has been accepted, nothing survives in this petition. The same is rendered infructuous in view of the subsequent events, leaving it

open to the petitioners to explore other remedy available under law, including to question the bona fides of the investigating agency as to whether it had acted fairly and also lay a motion for transfer of investigation, if required.

3. Disposed of.

(Sanjay Parihar)
Judge

JAMMU
20.08.2026
Diksha

HIGH COURT
सत्यमेव जयते
OF JAMMU & KASHMIR AND LADAKH