

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

CRM(M) No. 358/2025
CrlM No. 710/2025

Devinder Kour Madaan & Ors.

.....Petitioner(s)

Through: Mr. S S Ahmed, Advocate

Vs

UT of J&K & Anr

..... Respondent(s)

Through:

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

ORDER
29.04.2025

1. Issue notice to the respondents, in the main petition as well as in the interim application, returnable by next date of hearing, subject to taking of steps within a week's period for filing of response/objections, if any.
2. Heard learned counsel for the petitioners in respect of his prayer for grant of interim relief and considered his exhaustive submissions. Perused the application supported with an affidavit. Also perused the main petition and copies of the documents as annexures appended thereto.
3. Learned counsel for the petitioners during his arguments *inter alia* submitted that the petitioners are associated with a NGO working for protection of the rights of Animals who have also filed some PIL matters before this Court for protection of the Animal life. That petitioner No.3 and his daughter was feeding two puppies at their home, which was not liked by respondent No.2 and his accomplice S. Manga Singh, who unfortunately took the puppies for causing harm to them and they may

have caused the death of the said puppies. That upon being deeply moved by illegal conduct of the respondent No.2 and his accomplice, the petitioners in a responsible capacity lodged a case FIR bearing No. 0031/2025 on 08.03.2025 under Section 325 of BNS and Section 11 of the Prevention of Cruelty to Animals Act, before the police concerned. That unfortunately instead of having repentance and remorse for their illegal act, respondent No.2 lodged a counter report against the petitioners on the false and frivolous allegations of commission of house trespass, causing of hurt and rioting. That respondent No.1 while abusing his powers has registered a false and frivolous case FIR pursuant to the aforesaid complaint of respondent No.2, bearing No. 0033/2025 dated 09.03.2025.

4. The petitioners through the medium of the main petition seek quashment of the impugned FIR bearing No. 0033/2025 dated 09.03.2025.
5. List on **02.06.2025**.
6. In the meanwhile, subject to any vacation or modification upon consideration of the objections/arguments and till further orders, respondent No.1 while being at liberty to proceed with the investigation in the impugned case FIR shall not, however, present the final report/challan, in terms of Section 193 of BNSS before the competent Court of law, without permission from this Court.

(Mohd. Yousuf Wani)
Judge

Jammu
29.04.2025
Vijay