

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

Case No.:- B.A. No. 290/2024

Date of Pronouncement:- 31.10.2025

Uploaded on:- 06.11.2025

Case No:- Bail App No. 290/2024

Rashid Yousif

..... Petitioner(s)

Through: Mr. C. M Koul, Sr. Advocate with
Mr. A R Bhat, Advocate

Vs

UT of J&K and Ors.

..... Respondent(s)

Through: Mr. Eishaan Dadhichi, CGSC.

Coram: HON'BLE MR. JUSTICE JAVED IQBAL WANI, JUDGE

ORDER

31.10.2025

1. Petitioner through the medium of the instant bail application, has sought bail in anticipation of his arrest in FIR No. 0217/2024 dated 19.11.2024, registered with Police Station, Mendhar under Sections 115(2) 191(2), 191(3), 109 and 307 BNS and sections 4 and 25 Arms Act 1959, while stating that the petitioner is a student and has never been involved in the commission of offenses covered in the FIR and that the FIR in question is out come of political differences, *inter-se* the petitioner's family as well as the family of the complainant, thus, in order to wreck vengeance, the petitioner came to be got involved as an accused in the FIR on baseless, incorrect and manipulated facts and therefore, the petitioner, apprehending his arrest, seeks bail in anticipation thereof.
2. **Objections** to the bail application have been filed by the respondents, wherein it is being, *inter- alia* stated that on 19.11.2024, a complaint came

to be lodged by one Mohd Shabir S/o Ali Akbar R/o Gursai Tehsil Mendhar District Poonch against the accused persons including the petitioner herein, whereupon FIR No. 0217/2024 came to be registered and during the course of the investigation, it got revealed that the petitioner along with the other accused persons launched murderous attack on the complainant and other persons, who were participating in a marriage procession on 18.11.2024 and the said attack occurred at the house of one Mohammad Sharif, as a result of which the complainant and other person were serious injured and accused person including the petitioner fled from scene whereupon the injured people were taken to the hospital and got treated and that during the course of the investigation the statements of the wittiness came to be recorded and various articles including iron rod, iron pipe and three sticks (Lathi's) came to be seized and during the course of the investigation, it surfaced that petitioner was also involved in the commission of the offences and that the medical opinion qua the injured has not so far been received.

Heard learned counsel for the parties and perused the record.

3. It is significant to mention here that upon coming of the instant bail application for consideration initially on 11.12.2024, this Court after hearing learned counsels for the parties, as also upon perusal of the record available on the file, granted interim anticipatory bail to the petitioner *inter-alia* with the stipulation that petitioner will cooperate with the investigating agency in the investigation as and when required by the investigating officer.

4. A perusal of the objections filed by the respondents to the application would reveal that although the investigation is stated to have been in progress, yet it has nowhere been alleged that petitioner is not cooperating with the investigation or that petitioner is involved in the commission of a similar kind of offence or else has been causing interference in the investigation by either winning over the witnesses or else tempering with the prosecution evidence.

5. In view of the aforesaid position obtaining in the matter, this Court deems it appropriate to dispose of the instant bail application, at this stage, and confirm the order of grant of interim bail to the petitioner in terms of the order dated 11.12.2024 while making it clear that in the event the respondents including the investigating officer finds that the petitioner is not cooperating with the investigation or else is tempering with the prosecution evidence or is influencing the prosecution witnesses, the respondents/investigating officer shall be free to approach this Court for cancellation of the bail of the petitioner.

6. Ordered accordingly.

7. Accordingly, the instant bail application is *disposed of*.

(Javed Iqbal Wani)
Judge

Jammu
31.10.2025
Javid Iqbal