

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

CRM (M) No.1279/2025

CrIM No.2377/2025

Kamar Din

.....Petitioner(s)

Through: Mr. Khalid Mustafa, Bhatti, Advocate

Vs

UT of J&K and others

..... Respondent(s)

Through: Ms. Nisha Kangotra, Advocate vice
Mr. Adarsh Bhagat, GA

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

ORDER
05.12.2025

1. Ms. Nisha Kangotra, Advocate appears vice Mr. Adarsh Bhagat, Government Advocate and accepts notice in the matter for the respondents.
2. Through the medium of the instant petition filed in the terms of provisions of Section 528 of the BNSS, the petitioner has sought the quashment of the Final Report/challan bearing No.72/2022 dated 18.07.2022 titled "*UT of J&K vs. Mohd. Irfan & Others*", pertaining to case FIR No.96/2022 dated 18.05.2022 of Police Station, Doda pending disposal in the Court of learned Chief Judicial Magistrate, Doda on the main grounds that he has been falsely and frivolously implicated in the case when he is innocent. That neither he was owning/possessing or running any shop of any kind at the time of the alleged occurrence nor at present, as such, the allegation against him. That some stolen batteries have been recovered from his shop appears to be false and frivolous. That he is a contractor by profession and has also remained as Sarpanch of the area, who has been frivolously

implicated in the case on account of animosity and rivalry and as such his implication in the case FIR amounts to misuse and abuse of process of law. That there is no evidence in the case which points towards the involvement of the petitioner in the case. That the respondent No.4 has also opened his name in the Register 10 of his Police Station maintained for the surveillance of history sheeters, without following the procedure under law especially, as contained in the Rules 698 and 699 of the J&K Police Manual.

3. Since, the trial of the case is going on in the Court of learned Chief Judicial Magistrate, Doda and charges have already been framed in the case against the petitioner, as such, this Court is of the opinion that it may meet the ends of justice, in case, the instant matter is *disposed of* at this threshold stage with the direction to the learned trial Court to conduct an effective expeditious trial in the case by not adjourning the hearings of the case beyond a period of 15 days. Likewise, the other grievance of the petitioner will stand redressed by directing the respondent No.3 i.e. Senior Superintendent of Police, Doda to make a review of the enrolment of the petitioner in the Register 10 of Police Station, Doda in accordance with the relevant Rules and Regulations having regard to his present conducts after affording an opportunity of being heard to him in the matter.
4. Accordingly, the instant petition is *disposed of* at this threshold stage with the direction to the learned Chief Judicial Magistrate, Doda to conduct an

effective expeditious disposal in the criminal case bearing challan No. No.72/2022 titled “*UT of J&K vs. Mohd. Irfan & Others*”, pertaining to case FIR No.96/2022 of Police Station, Doda, pending trial before him by not adjourning the hearings of the case beyond a period of 15 days, with the submission of the status report regarding trial proceedings to the Registry of this Court on monthly basis. The Senior Superintendent of Police, Doda is also directed to make a review of the enrolment of the petitioner in the Register 10 of Police Station, Doda in accordance with the relevant Rules and Regulations of the J&K Police Manual after affording the petitioner a personal opportunity of being heard, within a period of four weeks.

5. *Disposed of.*

Jammu
05.12.2025
Mahavir

(Mohd. Yousuf Wani)
Judge

