

**IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

CrIM(1717/2025) IN CRM(M) 643/2023

BASHIR AHMAD BHAT AND ORS.

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

Through: Mr. Ateeb Kanth, Advocate

Vs.

UNION TERRITORY THROUGH
POLICE STATION LAR AND ANR.

...Respondent(s).

Through:

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

ORDER

30.01.2026

CrIM No. 1717/2025 in CRM(M) No. 643/2023

1. Through the medium of the instant petition having been filed in terms of provisions of Section 528 of the BNSS, the petitioners seek the rectification of the order dated 08.10.2025 passed by this Court while disposing of a petition titled "*Bashir Ahmad Bhat & Ors. Vs. UT of JK & Anr.*" bearing CRM(M) No. 643/2023, on the basis of mutual settlement between the petitioners and the respondent No. 2/complainant therein.
2. The petitioner No. 1 and the respondent No. 2 in the main disposed of petition who were previously wedded to each other having an issue, got involved in matrimonial disputes, leading to filing multiple cases, lastly compromised with each other and chose to dissolve their marriage. A mutual settlement came to be executed between the parties, forming Annexure-VII to the said petition. On the basis of the mutual settlement, this Court was convinced to allow the said petition and quash the FIR bearing No. 10/2019 dated 13.02.2019 registered with Police Station, Ganderbal, under Sections 498A, 506, 120B of the RPC.

3. Through the medium of the instant petition, it is pleaded that as per the prayer clause of the disposed of petition, the petitioners had sought the quashment of the FIR bearing No. 10/2019 dated 13.02.2019 of Police Station Lar, Ganderbal, along with the final report/challan bearing No. 19 of the said Police station pending disposal before the court of the learned Chief Judicial Magistrate, Ganderbal, as also the proceedings in respect of the complaint under Sections 17, 19, 20, 22 & 23 of the Jammu & Kashmir Domestic Violence Act titled “*Mst. Rukaya Hussain Vs. Bashir Ahmad Bhat & Ors.*”, as also the proceedings under Section 488 of the J&K Cr.P.C titled “*Mst. Ruqiya Hussain Vs. Bashir Ahmad Bhat*” bearing case CNR No. JKGB03000522019, pending disposal in the court of the learned Judicial Magistrate, Ganderbal. That this Court, vide its order dated 08.10.2025 passed on the said earlier petition while disposing of the same, made mention of the quashment of FIR No. 10/2019 only, when no mention was made regarding quashment of the charge-sheet/challan that arose from the aforesaid case FIR No. 10/2019 dated 13.02.2019 pending disposal in the court of the learned Chief Judicial Magistrate, Ganderbal. That no mention was also made regarding the quashment of the proceedings under the Domestic Violence Act and maintenance proceedings pending in the court of learned Judicial Magistrate, Ganderbal.
4. Heard the learned counsel for the petitioners and considered his submissions. Perused the petition supported with an affidavit. Also perused the record of the main disposed of petition.
5. In the light of the aforementioned perusal and consideration, this Court is of the opinion that admittedly the quashment of the final report/challan arising from case FIR No. 10/2019 dated 13.02.2019 of

Police Station, Lar, Ganderbal, as also of the proceedings under the Domestic Violence Act and maintenance proceedings initiated by the respondent No. 2/complainant against the petitioners and pending disposal in the court of learned Judicial Magistrate, Ganderbal, has escaped the attention of the Court while passing the order dated 08.10.2025.

6. Accordingly, the instant petition is allowed and the order dated 08.10.2025 is rectified to the effect that the case FIR No. 10/2019 dated 13.02.2019 of Police Station, Lar Ganderbal, under Sections 498A, 506, 120B of the RPC, stands quashed alongwith the subsequent final report/challan pending disposal in the court of learned Chief Judicial Magistrate, Ganderbal. The complaint filed under Sections 17, 19, 20, 22 & 23 of the Jammu & Kashmir Domestic Violence Act i case titled “*Mst. Rukaya Hussain Vs. Bashir Ahmad Bhat & Ors.*” as also the maintenance proceedings initiated under Section 488 of the J&K Cr.P.C0020 titled “*Mst. Rukaya Hussain Vs. Bashir Ahmad Bhat*” bearing case CNS No. JKGB03000522019, both pending disposal in the court of the learned Judicial Magistrate, Ganderbal, are also quashed on the basis of the compromise filed in the main disposed of petition.
7. This order shall form an integral part of the basic judgment/order dated 08.10.2025 passed in CRM(M) 643/2023.
8. This petition is accordingly **disposed of**.

(MOHD YOUSUF WANI)
JUDGE

SRINAGAR
30.01.2026
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