

Regular List
Serial No. 05

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

HCP No. 10/2026

**Date of pronouncement : 20.08.2026
Uploaded on : 20.08.2026**

**Neeraj Sharma, age 30 years
S/O Puran Chand,
R/O Village Rajpura Camp,
Bhatiare, Jammu**

.....Petitioner

Through:- None

V/s

- 1. UT of J&K Through
Senior Superintendent of Police, Poonch**
- 2. SHO Police Station, Poonch,
Tehsil & District Poonch**
- 3. Afzal Hussain Shah,
S/O Ali Asghar Shah,
R/O Shindarah, Haveli,
District Poonch**
- 4. Nighat Bukhari alias Neharika Sharma
W/O Neeraj Sharma,
R/O Village Rajpura, Camp Bathera,
Jammu**

.....Respondents

Through:- Mr. Dewakar Sharma, Dy. AG

**CORAM: HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE
ORDER (ORAL)**

- 01.** The petitioner, through the medium of this Habeas Corpus
Petition, has prayed that the respondent No. 1 and 2 be directed to
get the respondent No. 4-Nighat Bukhari @ Neharika Sharma,

released from the illegal custody of respondent No. 3, and handover her custody to the petitioner being his legally wedded wife and also to direct respondent No. 1 to take appropriate legal action against the respondent No. 3, under law for illegally keeping the respondent No. 4, in his illegal custody.

02. Pursuant to the notice, the official respondents appeared through Mr. Dewakar Sharma, learned Dy. AG, who on the previous date of hearing i.e., on **13.08.2026**, submitted that on a complaint filed by respondent No. 3, father of respondent No. 4, who had been missing since 27.01.2026, a case was registered vide FIR No. 0020/2026 at the jurisdictional Police Station, and that during investigation, the respondent No. 4 was recovered from the house of the petitioner from Kanachak, Jammu, and was restored to her father ; that on being produced before the court of learned Special Mobile Magistrate, Poonch, on **02.02.2026**, for her examination, she had stated that she had not been kidnapped by any person and that she wishes to stay with her parental family in Poonch, and wants to live independently and would marry of her own choice, in future.

03. On this statement made by the learned Deputy AG, the petitioner's counsel was directed to report instructions today in the face of the statement made by the respondent No. 4 before the court below, during investigation of the case of her kidnapping.

04. Today, there is no representation on behalf of the petitioner as neither he nor his counsel has appeared which suggests that the

petitioner has reconciled to the statement of the respondent No. 4, whose custody he wanted to be restored to him as his legally wedded wife. Otherwise also, since the whereabouts of the respondent No. 4 are known and that she is with her parental family in Poonch, there is no need to further proceed in this matter of Habeas Corpus Petition. The petitioner shall be at liberty to work out his other legal remedies available to him under law.

05. In view of the foregoing discussion, the present petition, bereft of any merit and substance, is hereby **dismissed**.

JAMMU
20.08.2026
SUNIL

(M A CHOWDHARY)
JUDGE

Whether the order is speaking? : Yes/No
Whether the order is reportable? : Yes/No