

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

CRM(M) No. 114/2026
CrlM No. 256/2026

Mir Dawar Habib

..... *Petitioner*

Through: Mr. Manzoor Ahmad Ganie, Advocate

Vs

Union Territory of J&K through P/S Badgam and another

..... *Respondents*

Through: Mr. Bikram Deep Singh, Dy. AG

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(12.03.2026)

01. **FIR No. 213/2025** of **31.07.2025** registered by the Police Station Budgam for alleged commission of offences under section 109 (*attempt to murder*), section 329 (4) (*criminal house trespass*), section 324(6) (*mischief with preparation for causing to any person death, hurt/wrongful restraint.....*) and section 351 (3) (*criminal intimidation*) of Bharatiya Nyaya Sanhita (BNS), 2023 was lodged by the proforma respondent-Mst. Azeeta Sehar Qureshi naming the petitioner as an accused bearing the accusation that the petitioner had made an attempt to end the life of the complainant/proforma respondent by use of his car White 110 NIOS on account of the fact that there is an ongoing divorce proceedings between her and her husband in the

court of learned Chief Judicial Magistrate, Srinagar when an attempt to end the life of the complainant/proforma respondent was made by the petitioner which she had escaped with injuries on her hand and arm.

02. The FIR makes a reference to rejection of bail of the petitioner in **FIR No. 27/2024** registered by the Cyber Police.

03. Said FIR has resulted in presentation of a Final Police Report submitted before the court of learned Ist Additional Sessions Judge, Srinagar for alleged commission of offences under section 109, 324(C), 351(3), 115(2) of BNS, 2023.

04. The petitioner in his petition has referred to the fact that the complainant/proforma respondent is none else than his wife and on account of strained marital relationship between the two there was a proceeding under the Protection of Women from Domestic Violence Act, 2005 which had come to be initiated but later on withdrawn on account of amicable settlement having been arrived at between the two.

05. The petitioner refers that he as well as the complainant/proforma respondent are KAS officers and thus, are said to be carrying matured head on their shoulder to the extent of resolving their dispute which has led the petitioner

to seek quashment of FIR along with a criminal case going on.

06. This Court has no reason to brush aside the submissions of the petitioner as otherwise also the FIR as lodged and the investigation/final police report thereupon would not making any such case scenario against the petitioner for making him to suffer the criminal trial.

07. Thus, in exercise of inherent powers reserved under section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 and keeping in view the fact that the parties are reported to have amicably settled their marital feud, this Court accepts the petition and hereby quashes the **FIR No. 213/2025** of Police Station Budgam along with Final Police Report **No. 186 of 2025** submitted thereupon and the ongoing criminal trial before the trial court below.

08. ***Disposed of.***

09. Copy of this order be forwarded by the Registrar Judicial, Srinagar to the court of learned Ist Additional Sessions Judge, Srinagar for being taken on record and consigning the case to record.

(RAHUL BHARTI)
JUDGE

SRINAGAR
12.03.2026
Opinder