

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

*Reserved on: 17.07.2026*

*Pronounced on: 24.07.2026*

*Uploaded on: 24.07.2025*

*Whether the operative part  
or full judgment is  
pronounced: **Full***

**HCP No.118/2025**

SHOWKAT AHMAD CHOPAN

**...PETITIONER(S)/APPELLANT(S)**

Through: - Mr. G. N. Shaheen, Advocate.

Vs.

UT OF J&K & ORS.

**...RESPONDENT(S)**

Through: - Mr. Jahingeer Dar, GA.

**CORAM: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE**

**JUDGMENT**

**1)** Through the medium of present petition, the petitioner has challenged detention order bearing No.29/DMP/PSA/25 dated 03.05.2025, issued by District Magistrate, Pulwama-the Detaining Authority, whereby the detinue, namely, ***Showkat Ahmad Chopan***, has been placed under preventive detention so as to prevent him from indulging in the activities which are prejudicial to the security of the State.

**2)** In the petition, it has been contended that the allegations/grounds of detention are vague, indefinite, irrelevant based on conjunctions and mere assertions of the Detaining Authority, on the basis of which no prudent man can make an

effective representation. It has been contended that the Detaining Authority has not given the details, date, time and place of the activities alleged against the detainee and the same are lacking in material particulars. It has been averred that the procedural safeguards have not been complied with in the instant case, inasmuch as whole of the material which formed basis of the grounds of detention and translated version thereof has not been provided to the petitioner which hampered him from making an effective representation against his detention. It has also been contended that the last alleged activity attributed to the detainee as per the grounds of detention has taken place in the year 2021 and thereafter no fresh activity has been attributed to him, as such, there is a delay of four years between the last alleged activity and the order of detention and this delay has snapped the proximity of the alleged activity and the order of detention, which renders the impugned order of detention unsustainable in law.

3) The respondents, in their counter affidavit, have contended that the impugned detention order has been passed after proper application of mind. It has been averred that that whole of the material relied upon by the detaining authority while passing the impugned detention order has been furnished to the detainee and contents of the same were read over and explained to him. It has been further contended that the detainee was informed that he can make a representation to the government as well as to the detaining authority against his detention. It has been further averred that in

the reply affidavit that all statutory requirements and constitutional guarantees have been fulfilled and complied with by the detaining authority and that the order has been issued validly and legally. It has also been contended that the detention of the detainee has been ordered strictly in accordance with the provisions of J&K Public Safety Act. The respondents have produced the detention record to lend support to the stand taken in the counter affidavit.

4) I have heard learned counsel for parties and perused record of the case including the detention record produced by learned counsel for the respondents.

5) Although the petitioner has raised a number of grounds in the petition for impugning the detention order, yet, during the course of arguments, learned counsel for the petitioner has laid much emphasis on the following grounds:

- (i) That whole of the material relied upon by the detaining authority while passing the impugned order of detention, particularly the detention order, and the translated version thereof, has not been furnished to the petitioner, which prevented him from making an effective representation against the impugned order of detention.
- (ii) That after release of the petitioner on bail, no fresh activity prejudicial to the security of the State has been attributed to him and only vague allegations have been made in the grounds of detention in this regard.

6) So far as the first ground urged by learned counsel for the petitioner is concerned, a perusal of the detention record would reveal that the petitioner has executed a receipt in respect of the documents furnished to him. As per the said receipt, which is available in the detention record, a total of 49 leaves, have been received by the petitioner which includes warrant of detention (01 leaf), ground of detention (03 leaves), notice of detention (01 leaf), copy of dossier (05 leaves) and other relevant record (39 leaves). The record contains the breakup of the documents received by the petitioner. These include English as well as Urdu versions of the grounds of detention as also the Urdu and English versions of the police dossier. It also appears that the petitioner has been provided copies of FIR, disclosure memo, recovery memo, arrest memo, statements of witnesses and the copies of bonds executed by him. Thus, whole of the material which forms basis of the grounds of detention seems to have been provided to the petitioner. It is also apparent that even the translated version of the material/documents relied upon by the detaining authority has been furnished to the petitioner. Thus, the contention of the petitioner that he has not been provided the entire material relied upon by the retaining authority and the translated version thereof is contradicted by the detention

record. Both these contentions are, therefore, without any merit and are liable to be rejected.

7) That takes us to the other contention that has been raised by learned counsel for the petitioner. According to him after the release of the petitioner on bail in FIR 52/2021 registered with Police Station, Tral, no specific activity has been alleged against the petitioner. In this regard a perusal of the grounds of detention would reveal that there are allegations that the petitioner, even after his release on bail, has continuously rendered assistance to active terrorists of Jaish-e-Mohammad, more particularly Jaish-e-Mohammad Commander Asif Sheikh. It is also revealed that the petitioner has indulged in activities prejudicial to the security of the state which compelled the respondent to take him into preventive custody on 04.03.2024 and 03.10.2024 and he was released upon furnishing bond under Section 109, 107 and 151 of Cr. P. C. These instances clearly demonstrate that even after his release on bail in FIR No. 152/2021 registered with Police Station Tral, the petitioner has continued to indulge in subversive activities by contacting active Jaish-e-Mohammad Commander Asif Sheikh and he was also taken into preventive custody twice in March 2024 and October 2024 and released on furnishing bond, which, as per the grounds of detention, he has violated

Thus, it cannot be stated that there are no specific allegations with regard to subversive activities of the petitioner in the grounders of detention. The ground urged by learned counsel for the petitioner in this regard is without any substance, hence the same deserves to be rejected.

8) For the foregoing reasons, I do not find any ground to interfere with the impugned order of detention. The petition lacks merit and is dismissed accordingly.

9) The detention record be returned to the learned counsel for the respondents.

Srinagar

24.07.2026

“Dhat Altaf-Shergaty”

Whether the **judgment** is reportable: Yes/No

(Sanjay Dhar)  
Judge