

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

HCP No. 132/2025

|               |             |
|---------------|-------------|
| Reserved on:  | 09.02.2026  |
| Pronounced on | 31. 03.2026 |

**JUNAID AHMAD BANGROO**

...Petitioner(s)

Through: Mr. S. T. Hussain, Sr. Advocate with  
Ms. Nida Nazir, Advocate.

Vs.

**UNION TERRITORY OF J & K AND ORS.**

...Respondent(s)

Through: None.

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

**JUDGMENT**

1. Heard learned Senior Advocate for the petitioner.
2. Perused the writ petition along with the annexures thereto.

Also perused the counter affidavit from the end of the respondents.

3. The petitioner came forward with institution of present writ petition on **21<sup>st</sup> May 2025**, acting through his brother, thereby seeking quashment of preventive detention Order No. **DM/PSA/16/2025** dated **3<sup>rd</sup> May 2025** passed by the respondent No. 2-District Magistrate, Srinagar acting under the **Jammu and Kashmir Public Safety Act, 1978** ordering preventive detention of the petitioner for preventing him from acting in a manner prejudicial to the maintenance of security of the State.

4. A case for seeking preventive detention of the petitioner was put forth by the Senior Superintendent of Police (SSP), Srinagar who, vide his letter No. **LGL/Det/2025/14230-33 dated 29<sup>th</sup> April 2025**, had submitted a dossier with respect to the alleged state of activities of the petitioner reckoned by the District Police to be prejudicial to the maintenance of security of the State.
5. In response to said dossier, the respondent No. 2-District Magistrate, Srinagar purportedly formulated grounds of detention on the basis whereof the respondent No. 2-District Magistrate Srinagar came up with purported subjective satisfaction that the alleged reported activities of the petitioner were prejudicial to the security of the State warranting his preventive detention which led to the passing of detention Order No. **DM/PSA/16/2025 dated 3<sup>rd</sup> May 2025**, thereby ordering the preventive detention and confinement of the petitioner in District Jail, Udhampur for a period to be notified by the Government.
6. The detention order came to be executed when the petitioner was taken into custody by ASI Mohammad Shafi, PID No. ARP-876060 of Police Station Safakadal, Srinagar on **5<sup>th</sup> May 2025**.
7. By virtue of Government Order No. **Home/PB-V/873 of 2025 dated 08.05.2025**, preventive detention Order No.

**DM/PSA/16/2025 dated 3<sup>rd</sup> May 2025** came to be approved and the case then referred for the opinion of the Advisory Board.

8. The dossier which formed the basis for the respondent No. 2-District Magistrate, Srinagar to exercise jurisdiction under the J&K Public Safety Act, 1978 to order the preventive detention of the petitioner refers to the fact that petitioner is a cousin of an active terrorist namely **Mehraj-ud-din Bangroo**, and that he is deeply influenced by radical ideology by being in continuous touch with such elements who motivated him to indulge in anti-national activities bearing a direct threat to the security of the Union Territory of Jammu and Kashmir.
9. The petitioner is said to have been rapidly motivated to indulge in anti-national activities provoking general masses, especially youth of downtown areas and its adjacent areas towards unlawful activities in a very short span of time, and thus becoming an incorrigible anti-national element of his area.
10. By reference to his reported alleged state of activities and bent of mind, the dossier refers to the fact that the petitioner was also previously subjected to preventive detention custody vide order No. **DM/PSA/24/2024 dated 9<sup>th</sup> September 2024** passed under the Jammu and Kashmir Public Safety Act,

1978, which came to be questioned by him before this Court in writ petition **WP(Crl) No. 308/2024**, which came to be allowed in terms of judgment dated **24<sup>th</sup> December 2024**, resulting in his release from preventive detention custody, but the petitioner again allegedly relapsed to anti-national activities by not mending his ways despite being given many opportunities with the hope of the petitioner living a normal life, as a result whereof, the petitioner came to be subjected to repeated preventive proceedings under Sections **126/170 BNS and 107/151 CrPC**, in which regard, the dossier recites proceedings dated 10<sup>th</sup> May 2024, 23<sup>rd</sup> April 2024, 5<sup>th</sup> August 2024, 23<sup>rd</sup> August 2024, 24<sup>th</sup> April 2024, 29<sup>th</sup> August 2024, 11<sup>th</sup> April 2025, and 18<sup>th</sup> March 2025.

- 11.** The grounds of detention formulated by the respondent No. 2-District Magistrate Srinagar literally follows text track of the dossier except for last two paragraphs wherefrom the respondent No. 2-District Magistrate Srinagar is coming forth with the purported subjective satisfaction that the petitioners' alleged activities make out a case for his preventive detention and with a same stroke of pen in formulating grounds of detention the activities of the petitioner are found to be adverse with respect to maintenance of public order but the detention is being referred to the security of the State scenario and it is this inherent illegality which renders the

very application of mind of the respondent No. 2-District Magistrate Srinagar seriously suspect as to whether the respondent No. 2-District Magistrate Srinagar is himself the thinker and author of the grounds of detention or the same have been worked out by the assignor to whom the file was assigned by the respondent No. 2-District Magistrate Srinagar.

**12.**In the light of the aforesaid inherent infirmity with respect to the very grounds of detention so formulated by the respondent No. 2-District Magistrate Srinagar the passing of impugned preventive detention order No. **DM/PSA/16/2025** dated **3<sup>rd</sup> May 2025** is rendered illegal and cannot escape from suffering quashment and is accordingly **quashed**.

**13.**The petitioner is directed to be restored to his personal liberty forthwith by the Superintendent of concerned Jail wherefrom the petitioner is being kept in confinement in terms of the detention order hereby quashed.

**14.**Disposed of.

**(RAHUL BHARTI)**  
**JUDGE**

**SRINAGAR**  
**31.03.2026**  
*Hilal*

Whether the judgment is speaking? **Yes**