

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

CM(M) No. 229/2026
CM No. 3669/2026

Nadeem Ahmad Dar

...Petitioner(s)

Through: Mr. M. S. Reshi, Advocate

Vs.

Mst. Humaya Begum

...Respondent(s)

Through:

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER

01.07.2026

- 01.** The respondent Mst. Humaya Begum is the wife of the petitioner.
- 02.** Purportedly being aggrieved of negligence on the part of the petitioner in maintaining her, the petitioner invoked proceedings under **section 144 of Bharatiya Nagarik Suraksha Sanhita 2023** before the court of Judicial Magistrate 1st Class (Sub Judge), Pattan.
- 03.** By virtue of an order dated **29.01.2026**, the Judicial Magistrate 1st Class (Sub Judge), Pattan,

came to admit the respondent to monthly maintenance of an amount of **Rs. 4500/-** from the date of filing of the application till final disposal of the main petition. Institution of proceeding under **section 144 Bharatiya Nagarik Suraksha Sanhita 2023** at the instance of the respondent to place on **08.04.2025**.

04. Against the said outcome of interim maintenance being granted by the Judicial Magistrate 1st Class (Sub Judge) Pattan, the respondent also felt aggrieved and the petitioner also felt aggrieved which resulted in two revision petitions on **File No. 04/Revision & 11/Cr. Rev** preferred before the court of Additional Session Judge, Baramulla. The revisional court of Additional Session Judge, Baramulla, by virtue of an order dated **01.06.2026** came to uphold the order dated **29.01.2026**.

05. The petitioner as a husband oblige to pay **Rs. 4500/-** per month to the respondent is still aggrieved with. When this Court examines the order dated **29.01.2026**, one fact comes out very

loud and clear that at no point of time the courts below ever made an effort to have a reconciliation which is always a first call to be taken in any matrimonial litigation. This effort was much expected from the superior court of Additional Session Judge, Baramulla and it is very painful to observe that even Additional Session Judge, Baramulla didn't deem it appropriate to first ever an effort invested and seeing that the petitioner and the respondent as husband and wife are made to understand that a litigation on any form in whatsoever between the two is going to leave as a winner and that the marital life is going to further worsen instead of getting repaired. At this stage, this Court is not inclined to grant any interference in the matter without going to cause any prejudice to the petitioner.

06. This petition is **disposed of** at this very stage with a direction to the Judicial Magistrate 1st Class (Sub Judge), Pattan to undertake an immediate exercise for reconciliation between the petitioner and the respondent keeping in view the

purported agreement which the petitioner refers in the present petition to have arrived between the petitioner and the respondent aiming to settle the strained relationship of the two. An exercise on this part be taken by Judicial Magistrate 1st Class (Sub Judge), Pattan, within a period of next two months in the course of the dates of hearing fixed in the case and the outcome of said reconciliation exercise to be put into order whether successful or failure, whereupon this Court leaves scop for the petitioner to come for the sake of challenging the outcome of his revision petition which has suffered dismissal from the court of Additional Session Judge, Baramulla.

07. Disposed of along with connected CM.

08. Let copy of this order be forwarded to Judicial Magistrate 1st Class (Sub Judge), Pattan.

(RAHUL BHARTI)
JUDGE

SRINAGAR:
01.07.2026
Imtiyaz