

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

CRM(M) 396/2025 CrIM(1180/2025) CrIM(946/2025)

Mohammad Amin Bhat and Ors.

...Petitioner(s)

Through: Mr. Taha Khalil, Advocate &
Mr. Nawaz Hussain Sodagar, Advocate

Vs.

**Union Territory through Police
Station Budgam and Anr.**

...Respondent(s)

Through: Mr. Bikramdeep Singh, Dy. AG

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER

26.02.2026

1. The respondent No. 2-Dr. Nayeema while being in marital status as the wife of Dr. Kaisar Rashid Bhat had come to petition the Court of Judicial Magistrate 1st Class (City Judge), Srinagar by reference to the Protection of Women from Domestic Violence Act, 2005.

2. The respondent No. 2-Dr. Nayeema maintained a petition on File **No. 244/2024** under Section 12 of the Protection of Women from Domestic Violence Act, 2005 in which she named five respondents.

3. Out of said five respondents, the petitioner No. 2-Mst. Kousar Jabeen figured as respondent No. 4.

4. During the pendency of her case on **File No. 244/2024** instituted on **07.09.2022**, the respondent No. 2-Dr. Nayeema lodged **FIR No. 96/2024** dated **27.03.2024** alleging commission of offences under Section 498-A and 506 of the Indian Penal Code, in which she came to name the petitioner No. 1-Mohammad Amin Bhat, petitioner No. 2-Mst. Kousar Jabeen and petitioner No. 3-Junaid Amin as accused persons.

5. Said FIR came to be registered at Police Station, Budgam which took up investigation of the case.

6. Three petitioners, named as accused persons in the said FIR, came up with the present petition invoking inherent power of this Court as reserved under Section 482 of the Code of Criminal Procedure Code, 1973 (akin to Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023) seeking the quashment of **FIR No. 96/2024** read with Final Police Report **No. 126/2024** dated **14.08.2024** which had come to be presented before the Court of learned Judicial Magistrate of 1st Class (2nd Additional Munsiff), Srinagar.

7. The institution of the present petition took place on **11.07.2025**.

8. In terms of an order dated **22.08.2025** this Court came to stay further proceedings in the criminal case against the petitioners.

9. During pendency of her petition under the Protection of Women from Domestic Violence Act, 2005, the respondent No. 2-Dr. Nayeema came up with an amicable settlement with her husband Dr. Kaisar Rashid Bhat and also the respondents named in her said petition, which brought closure of the proceedings under the the Protection of Women from Domestic Violence Act, 2005, in terms of order dated **12.06.2025**.

10. The respondent No. 2-Dr. Nayeema parted her marital company from Dr. Kaisar Rashid Bhat with an understanding that litigation whatsoever pending between them to be withdrawn for bringing an ever lasting peace in their post-divorce status.

11. It is in this background of the aforesaid development that this petition is also supposed to result in getting closure to the criminal case so pending before the Court of learned Judicial

Magistrate of 1st Class (2nd Additional Munsiff), Srinagar which would be in the interest of justice considering the fact that respondent No. 2-Dr. Nayeema (complainant) has reconciled her grieved against her In-laws including the petitioners herein.

12. Accordingly, by resort to inherent power to subserve ends of justice, the petition is allowed The **FIR No. 96/2024** read with Final Police Report **No. 126/2024** dated **14.08.2024** of Police Station, Budgam along with criminal case pending on the file of the court of learned Judicial Magistrate 1st Class (2nd Additional Munsiff), Srinagar are hereby quashed.

13. Copy of this order be forwarded by the Registrar Judicial, Srinagar to the Court of learned Judicial Magistrate 1st Class (2nd Additional Munsiff), Srinagar.

14. **Disposed of.**

(RAHUL BHARTI)
JUDGE

SRINAGAR:

26.02.2026

"Mir Arif"