Sr. No. 20

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

Case: CRM(M) No. 933/2024

Muntazir Manzoor Th. Manzor Ahmed Bhat ..... Petitioner(s)/Appellant(s)

Through :- Mr. Waheed Choudhary, Advocate

Vs

U.T. of J&K .....Respondent(s)

Through :- Mr. P.D. Singh, Dy. AG.

CORAM:
HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
27.12.2024

01. It has been fairly stated by the learned counsel for the petitioner that the grievance of the petitioner in the instant petition stands redressed, as the petitioner through the medium of the instant petition, which has been preferred under Section 438 BNSS read with Section 442 against the order dated 24.10.2024 passed by the Court of learned 3rd Additional Sessions Judge, Jammu in criminal charge sheet title '*U.T. of J&K Vs. Muntazir Manzoor & Ors.'* whereby the petitioner has been charged under Section 121, 471 of IPC 1860 section 20/23/39 of UA(P) Act 1967, section 7/25 of Arms Act 1959, Section 4/5 of explosive substance Act 1908 and has prayed for setting aside the order dated 24.10.2024, and also for allowing the petitioner to cross examine PW-5 namely Inspector Raghubir Singh for whom the learned Court below has closed the right of the petitioner.

02. Learned counsel for the petitioner has fairly admitted that this Court vide order dated 20.11.2024 has stayed the order impugned with a direction to the Court of learned 3rd Additional Sessions Judge, Jammu to allow the

petitioner to cross examine PW-5 namely Inspector Raghubir Singh on the date to be fixed by the learned trial Court.

03. In light of the interim order passed by this Court, nothing remains to be adjudicated any further in the instant petition, as the grievance of the petitioner stands redressed, as the direction has been issued to the learned trial Court to allow the petitioner to cross examine PW-5 namely Inspector Raghubir Singh on the date to be fixed by the Court and till date, no grievance has been raised by the respondents by filing reply to the contrary and the inference is drawn that the respondents have no serious objection in case the aforesaid direction is being carried by the learned trial Court and the learned counsel appearing on behalf of the respondents has no serious objections if the interim order passed by this Court dated 20.11.2024 is made absolute.

04. In the aforesaid backdrop, nothing remains to be adjudicated any further in the instant petition and, accordingly, the same is disposed of by making the aforesaid interim order dated 20.11.2024 as absolute and accordingly, the learned trial Court is directed to allow the petitioner to cross examine PW-5 namely Inspector Raghubir Singh on the date, which is likely to be fixed by the Court below.

05. The writ petition is ***disposed of***, accordingly.

(WASIM SADIQ NARGAL)
JUDGE

JAMMU
27.12.2024
Mihul