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Regular

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT SRINAGAR

CCP(S) No. 453/2024

Mohammad Amin Rather

….. Petitioner (s)

Through: Mr. Mohammad Rafiq, Adv .

V/s

Chandraker Bharti and Ors.

….. Respondent(s)

Through: Mr. Mubashir Majid, Dy. AG

Coram:

Hon'ble Mr. Justice Sanjay Dhar, Judge.

ORDER

23.12.2024

1. The petitioner through the medium of present contempt petition has sought initiation of contempt proceedings against the respondents as according to him, despite his detention order having been quashed by this Court in terms of judgment dated 27.09.2024, he has not been set at liberty.
2. The respondents have filed statement of facts in which they have submitted that after the quashment of the earlier order of detention passed against the petitioner, he was released from custody on 18.10.2024, whereafter a fresh detention order bearing No. 20/DMB/PSA dated 19.11.2024 came to be passed and the petitioner

Asif Gull
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was taken into custody on 20.11.2024 and he is presently lodged at Central Jail, Kot Balwal, Jammu.

3. Learned counsel for the petitioner has submitted that in fact the petitioner was never released and he has not even been furnished the fresh order of detention.

4. Be that as it may, the contention urged by the learned counsel for the petitioner offers to the petitioner a ground for challenging the fresh order of detention but once the respondents pursuant to the judgment passed by the writ Court have released the petitioner, the judgment of the writ Court stands complied with. Therefore, no case for proceeding against the respondents is made out. The contempt proceedings are, therefore closed and the petition is disposed of accordingly.

(Sanjay Dhar)
Judge

SRINAGAR
23.12.2024
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