Serial No. 121

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

CJ Court

Case:- LPA No. 201/2026 in
HCP No. 25/2026

Aamir Mir

.....Petitioner/Appellant

Through :- Mr. Qadri Towkeer Nazir, Advocate

v/s

UT of J&K & Ors.

.....Respondents

Through :- Mr. Deewakar Sharma, Dy. A.G vice
Mrs. Monika Kohli, Sr. AAG

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

ORDER
25.11.2026

1. Learned counsel for the appellant without going into merits of the case submitted that the detention was in currency since 31.03.2026 and almost eight months have lapsed. Learned counsel for the appellant further submits that the appellant is young man of 30 years and has learnt a lesson out of his detention and would not be involved in such crime in future.

2. Learned counsel on 23.11.2026 on such submissions sought permission to submit an undertaking of the detenue regarding his unconditional apology and regret for the past conduct and also assured that he will not indulge in any unlawful activity, criminal act or any act prejudicial to the maintenance of public order. The undertaking attested by the Assistant Superintendent, District Jail

Bhadarwah is today submitted in the Court. The undertaking is taken on record.

3. Learned counsel further submits that the peculiar factual matrix of 08 convictions involved only fine under the Bovine Laws and, thus, in these circumstances and also taking into account that the detenue has already undergone eight months of detention and looking his young age, the sentence be suspended for rest of the period without seeking further indulgence on merits.

4. Learned counsel for the respondents submits that the undertaking has been recorded and since the Court is inclined to suspend the rest of the sentence of the detention, a liberty may be given to them to seek revocation of suspension in case any offence in contravention to the undertaking is committed by the appellant.

5. This Court, in the very peculiar factual matrix is inclined to suspend the rest of the sentence of detention on account of peculiar factual matrix which include the young age of the appellant, eight months having been lapsed out of one year, the Bovine Law applicable, only fine being suffered by the detenue as punishment of those eight proceedings, the undertaking given and the bona-fides projected by the learned counsel for the appellant.

6. Accordingly, the petition is disposed of with a direction that the detention shall remain suspended for the rest of the period and accordingly, he is directed to be released. However, this order shall not preclude the respondents from passing any fresh detention order in case required and they will also have the liberty to get the

suspension revoked, if any violation of undertaking is recorded by them at any juncture, during the currency of the detention order.

7. Disposed of.

(WASIM SADIQ NARGAL) JUDGE **(DR. PUSHPENDRA SINGH BHATI) CHIEF JUSTICE**

JAMMU
25.11.2026
Tarun/PS

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
सत्यमेव जयते

Tarun Kumar Gupta
2026.11.26 15:44
I attest to the accuracy and
integrity of this document