**Serial No. 07**
Regular Cause List

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH**
**AT SRINAGAR**

**TrP (Crl) No. 18/2026**
**CrlM No. 1776/2026**

**Shahanshah** **…Petitioner(s)**

**Through:**
Mr. Syed Waris, Advocate.

V/s.

**Nusrat Ali & Anr** **...Respondent(s)**

**Through:**
Mr. Abrar H. Khan, Advocate.

**CORAM:**
**Hon'ble Mr Justice Shahzad Azeem, Judge.**

***ORDER***
*04.11.2026*

01. The petitioner has approached this Court seeking transfer of complaint pending before the court of learned Special Mobile Magistrate, Awantipora under Section 138 of Negotiable Instruments Act, titled "Yasir Ali vs Shahanshah Mushtaq" bearing CNR No. JKPL080000592023 and also the case titled "Mst. Nusrat Ali vs Shahanshah Mushtaq" under Section 125 of Criminal Procedure Code, bearing CNR No. JKPL080000602023.

02. Although the petitioner has made an attempt for transfer of cases before the court of learned Principal Sessions Judge, Pulwama, however, the said application stands dismissed vide order dated 21.08.2026.

03. When the matter came up before the Court, the learned counsel for the petitioner has raised a principal ground seeking transfer of the case, that one of the respondents i.e. Mst. Nusrat Ali, is a local practicing advocate, therefore, he is not expecting fair trial before the trial court.

04. Learned counsel for the respondents, with all magnanimity, made a statement at the bar that since the petitioner, though has made unfounded allegations, but has entertained an apprehension, therefore, in

case the matters if transferred to some other court, he will have no objection.

05. Heard learned counsel for the parties.

06. Since one of the litigating parties admittedly is a practicing advocate, therefore, if at all any apprehension is entertained by the opposite side regarding fair trial and the fact that the other side has also pleaded no objection, in these circumstances in order to allay any apprehension regarding fair trial, this petition is accordingly allowed and the case titled "Yasir Ali vs Shahanshah Mushtaq" bearing CNR No. JKPL080000592023 and also the case titled "Mst. Nusrat Ali vs Shahanshah Mushtaq" under Section 125 of Criminal Procedure Code, bearing CNR No. JKPL080000602023, are transferred to the court of learned Chief Judicial Magistrate, Pulwama for disposal in accordance with law. Let the record of the cases be transmitted to the transferee court forthwith, where parties shall appear as per the date fixed by the court.

07. The learned Chief Judicial Magistrate, Pulwama shall conduct the proceedings expeditiously and shall make an endeavor to dispose of the matters within a period of four months preferably.

08. **Disposed of**.

**(Shahzad Azeem)**
**Judge**

**SRINAGAR:**
November 4th, 2026
"HAMID"

HIGH COURT
JAMMU & KASHMIR AND LADAKH

Abdul Hamid Bhat
I attest to the accuracy and
authenticity of this
document