

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKHAT SRINAGAR(Through Virtual Mode)

CrIM(22/2026) IN CRM(M) 14/2026

CrIM(23/2026)

FAROOQ AHMAD ZARGAR

...Petitioner(s)/Appellant(s)

Through: Mr. Lone Altaf, Advocate

Vs

UNION TERRITORY THROUGH POLICE STATION  
SHEERGARI AND ANR

...Respondent(s)

Through:

**CORAM:****HON'BLE MR JUSTICE RAHUL BHARTI, JUDGE****ORDER****21.01.2026**

1. The petitioner, by way of an application invoking section 175(3) of Bharatiya Nagarik Suraksha Sanhita, BNSS 2023 thereby soliciting indulgence of the Court of Chief Judicial Magistrate, CJM Srinagar for a direction unto the SHO, Police Station Shergari, Srinagar for registration of FIR and carrying out investigation against the respondent for the act of dishonest misappropriation of an amount of Rs. 54.00 lacs which is said to have been received from the petitioner by the respondent in the matter of a land deal which the petitioner was intending to purchase the property from owner Rajinder Singh Sodhi and Dheeraj Singh Sodhi.
2. The court of Chief Judicial Magistrate, CJM Srinagar, by virtue of an order dated 18.08.2025, came to hold the case

for a direction to SHO Police Station, Shergari to register FIR.

3. Said order dated 18.08.2025 came to be assailed by the respondents in a criminal revision before the court of learned Additional Sessions Judge, Srinagar which, vide order dated 21.11.2025, has literally acted as if having inherent powers, by setting aside the order dated 18.08.2025 of the Court of Chief Judicial Magistrate, Srinagar by holding the dispute between the petitioner and respondent as of a civil nature.
4. The petitioner is aggrieved of indulgence so granted by the Court of Additional Sessions Judge, Srinagar on criminal revisional side and is, thus, coming up with the present petition invoking the inherent powers of this Court under section 528 of Bharatiya Nagarik Suraksha Sanhita, BNSS 2023.
5. Issue notice to the respondents.
6. Petitioner to furnish registered postal covers within a period of 07 days whereupon notice be issued to the respondents.
7. List on 23.02.2026.
8. Send for the record of the case titled "*Farooq Ahmad Zargar vs Fayaz Ahmad Shah*" in File No. 26353/2025.

**(RAHUL BHARTI)**  
**JUDGE**

**SRINAGAR**  
**21.01.2026**  
AAMIR