

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CRM(M) 195/2026

CrIM(482/2026)

SHAKEEL AHMAD MAKROO

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

Through: Mr. Aadil Parray, Advocate with
Mr. Tasaduq Rasool, Advocate

Vs.

MUBEEN AHMAD BHAT

...Respondent(s)

Through:

CORAM:

HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER

17.04.2026

It is submitted by counsel for the petitioner that the cognizance recorded against the petitioner for offences under Section 318 and 351 BNS is barred by limitation because the transaction which is sought to be portrayed for taking cognizance has taken place in the year 2011. So much so the court has not followed the mandatory procedure laid in the BNSS for taking of cognizance though he claims to have been given right of hearing but the Trial court has erred in taking cognizance without initiating enquiry because the petitioner admittedly residing outside the territorial jurisdiction of Trial Court.

Given the submission made, prima facia case for intervention is made out.

Notice to the respondent returnable within a period of three weeks.

Steps for service in one week.

Send for scanned record of the Trial court.

List on 22.05.2026

In the meanwhile, subject to objections and till next date of hearing before the Bench, the proceedings in the complaint, pending in Trial Court shall remain stayed.

(SANJAY PARIHAR)
JUDGE

Srinagar
17.04.2026
"Imtiyaz"