

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

CRM(M) 279/2026 CrIM(664/2026

MOHAMMAD SALEEM WANI Petitioner(s)

Through: Mr. Saqib, Advocate.
vice Mr. Asvad Attar, Advocate.

V/s

MANZOOR AHMAD MIR Respondent(s)

Through:

Coram:

Hon'ble Mr. Justice Sanjay Dhar, Judge

ORDER

08.05.2026

1. This is a petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 challenging order dated 20.03.2024 passed by this Court whereby revision petition filed by the respondent has been dismissed as withdrawn and the interim direction has been vacated.
2. Heard learned counsel for the petitioner and perused the material on record.
3. It appears that the petitioner had filed a complaint under Section 138 of the Negotiable Instruments Act against the respondents before the learned trial Magistrate i.e, court

- of Judicial Magistrate, 1st Class, Anantnag. The said complaint culminated in conviction of the respondent in terms of judgment dated 11.03.2020 passed by the learned trial Magistrate whereby the respondent was sentenced to undergo simple imprisonment for a period of 02 years and he was also directed to pay an amount of Rs. 13,24,160/- as compensation to the petitioner. It seems that the aforesaid judgment came to be challenged by the respondent by way of appeal before the learned Sessions Judge, Anantnag. The said appeal was dismissed by the learned Sessions Judge in terms of order dated 16.11.2021.
4. The respondent assailed both the aforesaid judgments by way of revision petition before this Court which was registered as Criminal Revision Petition No. 29/2021. The said petition came to be dismissed as withdrawn in terms of order dated 20.03.2024 which is under challenge before this Court in the present petition.
 5. According to the petitioner, the revision petition was dismissed because there was some compromise arrived at between the parties but this Court while dismissing the

revision petition filed by the respondents did not take note of the said compromise and dismissed the petition as withdrawn. He has further submitted that some amount has been deposited by the respondents with the Registry of this Court in pursuance to interim order passed by this Court in the revision petition.

6. The grievance of the petitioner is that the compromise arrived at between parties has not been referred to in the order whereby revision petition has been dismissed. The effect of withdrawal of the revision petition by the respondent would be that the judgment of conviction and sentence passed by the learned trial Magistrate which has been upheld by the learned Sessions Judge has acquired finality.
7. Since the compromise stated to have been arrived at between the parties has not been referred to in the order of dismissal of the revision petition and no order compounding the offence committed by the respondent has been passed, as such, the petitioner/complainant cannot have any grievance against the order dismissing

the revision petition. If at all any one would be affected by the order of dismissal of the revision petition it was the respondent and not the petitioner.

8. For the foregoing reasons, I do not find any merit in the petition. The petition is **dismissed**, leaving it open to the petitioner to work out remedy for execution of the order of the learned trial Magistrate and for release of amount deposited by the respondent before this Court during the pendency of the revision petition.

(Sanjay Dhar)
Judge

SRINAGAR

08.05.2026

Aasif