

**IN THE HIGH COURT OF JAMMU, KASHMIR AND LADAKH AT  
SRINAGAR**

Reserved on: 08.05.2026  
Pronounced on: 05.06.2026  
Uploaded on: 05.06.2026  
Whether the operative part or full  
judgment is pronounced: **Full**

**HCP No.112/2025**

IKHLAS SHAFI GANIE

**...PETITIONER(S)/APPELLANT(S)**

Through: - Mr. M. Ashraf Malik, Adv. with  
Mr. Salfi Izhar, Adv.

vs.

UT OF J&K AND OTHERS

**...RESPONDENT(S)**

Through: - Mr. Illyas Nazir Laway, GA

**CORAM: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE**

**JUDGMENT**

**1)** Through the medium of present petition, the petitioner has challenged detention order bearing No.11/DMA/PSA/DET/2025 dated 26.04.2025, issued by District Magistrate, Anantnag, whereby the detenu, namely, **Ikhlas Shafi Ganie**, has been placed under preventive detention so as to prevent him from indulging in the activities which are prejudicial to the maintenance of security of the State/UT of J&K.

**2)** In the petition, it has been contended that that the allegations/the grounds of detention are vague and mere assertions, on the basis of which no prudent man can make an effective representation. It has been contended that the allegations mentioned in the grounds of detention have no nexus with the detenu and that the same have been fabricated by the police in order to justify its illegal action of detaining the detenu. It has been contended that the procedural safeguards have not been complied with in the

instant case, inasmuch as whole of the material which formed basis of the impugned detention order has not been supplied to the petitioner and that the detenu was not detained in accordance with Section 8 of the Public Safety Act.

3) The respondents, in their counter affidavit, have contended that the detenu is an anti-national element and is figuring adversely in police records for his involvement in anti-national activities. It has been contended that the impugned detention order has been passed by the detaining authority validly and legally after carefully examining the record/material. It has been contended that the activities of the detenu are highly prejudicial to the security of the State. It is pleaded that the detention order and grounds of detention along with the material relied upon by the detaining authority were handed over to the detenu and the same were read over and explained to him. It has been further contended that the detenu was informed that he can make a representation to the government as well as to the detaining authority against his detention. It is also averred in the reply affidavit that all statutory requirements and constitutional guarantees have been fulfilled and complied with by the detaining authority. The respondents have produced the detention record to lend support to the stand taken in the counter affidavit.

4) I have heard learned counsel for the parties and perused record of the case, including the detention record produced by the respondents.

5) The first ground that has been urged by the petitioner for challenging the impugned order of detention is that the allegations made in the grounds of detention are vague, nonexistent, on the basis of which, no prudent man can be expected to make an effective representation to the Government or

any other competent authority. In this context, if we have a look at the grounds of detention, the Detaining Authority has noted the past criminal history of the petitioner relating to stone pelting and his involvement in FIR No. 77/2018 of Police Station Anantnag. It has also been noted that the petitioner has nexus with anti-national elements and he has started working as Over Ground Worker(OGW) with Lakshar-e-Taiba and the Resistance Front(TRF) outfits, which are behind recent terrorist attack upon the tourists at Pahalgam. In the grounds of detention, it has been further noted that reliable human and electronic sources confirmed that the petitioner continued association with active militants and he is a key facilitator for their movement and shelter.

6) Ordinarily, on such non-specific allegations, the detention of the petitioner could not have been sustained in law, but in the instant case, a perusal of the detention record produced by the respondents would reveal that besides other documents, the petitioner has been furnished intelligence reports comprising of three leaves. Copies of these intelligence reports are available in the detention record. A perusal of these intelligence reports would reveal that specific inputs have been received from the field agencies, which show involvement of the petitioner in specific activities, which are prejudicial to the security of the State/Union Territory. Thus, in the presence of these specific intelligence reports, copies whereof have been duly furnished to the petitioner, it is not open to him to contend that he was not aware about the specific allegations on the basis of which, impugned order of detention has been passed against him. The contention of the petitioner in this regard is, therefore, without any merit.

7) It has also been contended by the petitioner that entire material forming basis of the grounds of detention has not been furnished to him. In this regard, a perusal of the detention record would reveal that the petitioner has executed a receipt, which reveals that he has received detention order(one leaf), notice of detention (one leaf), grounds of detention (two leaves), dossier of detention (five leaves), copies of FIRs etc. statements of witnesses and other related documents (eight leaves), total seventeen leaves. As already stated, the petitioner has also received copies of intelligence reports (three leaves). Therefore, entire material on the basis of which, the Detaining Authority has formulated the grounds of detention has been received by the petitioner. Thus, it cannot be stated that there has been any non-adherence to the statutory or constitutional imperatives on the part of the respondents while detaining the petitioner.

8) It has been next contended by the petitioner that representation submitted by him to the respondents has not been considered by the respondents. In this regard, a perusal of the detention record would reveal that the representation of the petitioner was placed before the Advisory Board and the same was considered by the Board in its meeting held on 23.05.2025. It is pertinent to mention here that the petitioner was heard in person by the Advisory Board. On the basis of the opinion of the Advisory Board, the representation of the petitioner was rejected by the Government in terms of communication dated 12.06.2025 and the same was conveyed to the petitioner through Superintendent Central Jail Kotbhalwal immediately thereafter. Thus, the contention of the petitioner in this regard is without any substance.

9) For all what has been said, analyzed and discussed hereinabove, I do not find any merit in the present petition. The same is, accordingly, dismissed.

10) The detention record be returned to learned counsel for the respondents.

**(Sanjay Dhar)**  
**Judge**

**Srinagar:**  
05.06.2026  
Rakesh PS

Whether the **judgment** is reportable: **Yes/No**

