

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

*Reserved on: 20.04.2026*

*Pronounced on: 08.05.2026*

*Uploaded on: 08.05.2025*

*Whether the operative part or  
full judgment is pronounced:*

**Full**

**HCP No.248/2025**

TANVEER AHMAD NAJAR

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

Through: - Mr. Syed Sajad Geelani, Advocate.

Vs.

UT OF J&K & ANOTHER

**...RESPONDENT(S)**

Through: - Mr. Hakim Aman Ali, Dy. AG.

**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/DMB/PSA/2025 dated 29.04.2025, issued by District Magistrate, Baramulla, whereby the detenu, namely, **Tanveer Ahmad Najar**, has been placed under preventive detention so as to prevent him from indulging in the activities which are prejudicial to the security of the State.

**2)** It has been contended that the detenu is not involved in any criminal activity except in FIR No.203/2018 in which he is facing trial. It has been contended that the grounds of detention are replica of dossier and the detaining authority has not

applied its mind while formulating the grounds of detention. It has been further contended that the grounds of detention are vague, stale and non-existent and that the representation filed by the petitioner has not been considered.

3) The respondents, in their counter affidavit, have contended that the impugned detention order has been passed after proper application of mind and the same is based on reasonable prediction of future behaviour. It has been further contended 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 and that the order has been issued validly and legally. It has also been contended that the detention of the detenu has been ordered strictly in accordance with the provisions of J&K Public Safety Act. 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.

5) Learned counsel for the petitioner, while seeking quashment of the impugned order, has projected various grounds but he has laid much emphasis on the following ground:

- (I) That there were no compelling circumstances for the detaining authority to pass the detention order against the petitioner as there were regular criminal cases already registered against the petitioner.
- (II) That the respondents have not taken any action against the petitioner for violating the bonds executed by him in terms of Section 107/151 of Cr. P. C and 126/170 of BNSS.
- (III) That there are vague allegations made in the grounds of detention against the petitioner, on the basis of which it was not possible for him to make an effective representation.
- (IV) That the result of consideration of the representation made by the petitioner against the impugned order of detention was not conveyed to him.

6) So far as the first ground urged by learned counsel for the petitioner is concerned, in this context if we have a look at the grounds of detention, it bears reference to FIR No.2023/2018 for offences under Section 7/25 Arms Act and Section 13 UA(P) Act registered with Police Station, Sopore. It is noted in the grounds of detention that the petitioner has been granted bail in the said FIR. The grounds of detention further proceed to allege that after the petitioner was granted bail and he was

made to execute bonds to maintain peace and good behaviour, he re-engaged himself in anti-national activities. It is alleged that the petitioner started actively using encrypted applications and Virtual Proxy Networks to communication with Over Grounds Workers of Lashkar-e-Toiba. It is further alleged that the petitioner was in constant contact with active Lashkar-e-Toiba terrorists currently operating from Pakistan. According to the detaining authority, these individuals were coordinating terror plans through petitioner in Sopore for targeting tourists of specific ethnic groups.

7) In the face of aforesaid specific allegations against the petitioner, it cannot be stated that there were no compelling reasons for the detaining authority to pass the impugned order of detention despite there being a regular criminal case pending against the petitioner.

8) So far as the ground regarding non-enforcement of conditions of bonds executed by the petitioner is concerned, it would be suffice to say that in the grounds of detention it is clearly indicated that despite execution of these bonds, the petitioner continued to remain in touch with active Lashkar-e-Toiba terrorists whose names are clearly indicated in the grounds of detention. Therefore, the contention of the petitioner in this regard is without any merit.

9) The argument of learned counsel for the petitioner that there are vague allegations in the grounds of detention is also noted to be rejected because, as already stated, the names of the terrorists with whom the petitioner was in contact with are clearly mentioned in the grounds of detention. It is also indicated in the grounds of detention as to in which area of the Valley the petitioner was actively operating. In fact, the petitioner has made a representation with the detaining authority which is comprehensive in nature comprising of 13 paras, in which he has not only urged factual but he has also urged legal grounds for assailing the impugned order of detention. Therefore, it cannot be stated that the petitioner was in any manner hampered from making a suitable representation against the impugned order of detention.

10) The last contention that has been raised by the petitioner is with regard to non-furnishing of result of representation to him. In this regard, a perusal of the detention record would reveal that representation of the petitioner was received by the respondents on 06.06.2025 and after obtaining report from the Additional Director General of Police, CID, J&K, the same has been rejected in terms of communication dated 16.07.2025. The record goes on to show that information with regard to disposal of the representation has been duly conveyed to the petitioner and in this regard his receipt is available in the detention

record. The assertion of the petitioner is, therefore, not borne out from the detention record.

**11)** For the foregoing reasons, I do not find any ground to interfere with the impugned order of detention. The petition lacks merit and is dismissed accordingly.

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

**(Sanjay Dhar)  
Judge**

Srinagar

08.05.2026

“Bhat Altaf-Szeg”

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

