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Suppl

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CRM (M) No. 427/2025

CrIM No. 1029/2025

Ajaz ahmad Rather

..... Petitioner(s)

Through: Mr. Sheikh Hilal, Adv.

V/s

Showkat Ahmad Bhat

..... Respondent(s)

Through:

Coram:

Hon'ble Mr. Justice Sanjay Dhar, Judge

ORDER

25.07.2025

1. The petitioner, has challenged order dated 14.07.2025 passed by the learned Judicial Magistrate 1st Class, Pampore whereby in an execution petition filed by the respondent against the petitioner for execution of award dated 02.11.2024, directions have been issued for detention of the petitioner in civil prison and besides this, the petitioner has been asked to submit details of his property.
2. Learned counsel for the petitioner has submitted that as per the order dated 02.1.2024, passed by the learned Magistrate on the basis of compromise arrived at between

- the parties, the parties undertook not to prosecute the matter further and accordingly, the complaint was dismissed.
3. In the face of these facts, the learned counsel, has argued that once complaint of the respondent stood dismissed, there was no occasion for the respondent to file execution petition and the learned trial court could not have entertained the same.
 4. Issue notice to the respondent subject to taking of necessary steps by the petitioner within one week.
 5. In the meantime, the impugned order passed by the learned Judicial Magistrate, 1st Class, Pampore shall remain stayed.
 6. Xerox copy of the entire record of the trial court be summoned.
 7. List on 10.09.2025.

(Sanjay Dhar)
Judge

SRINAGAR
25.07.2025
Aasif