

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

CRM(M) 646/2025 CrIM 1596/2025

Ghulam Nabi Rather

...Petitioner(s)/appellant(s)

Through: Mr. Sajad Mir, Advocate with
Mr. Haaris Khan, Advocate.

Vs.

Union Territory of J and K and Ors.

...Respondent(s)

Through: None

CORAM:

HON'BLE MR JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER

17.10.2025

1. Issue notice to the respondents 1 to 3, through the Office of the Sr. AAG, returnable by the next date of hearing for filing of response/objections.
2. Notice shall be issued to respondent No. 4 returnable by the next date of hearing subject to taking of steps for service within a period of two weeks for filing of response/objections.
3. Heard learned counsel for the applicant/petitioner in respect of his prayer for grant of interim relief who, inter alia, contended that the complainant Mohammad Yousuf Wani, who is alleged to have filed a complaint/FIR way back in 2018 leading to the initiation of the preliminary enquiry, had already died in the year 2000. He further submitted that the complaint leading to the registration of the impugned FIR is baseless as the co-sharers/cousins of the petitioner have been litigating with the latter on civil side since 1988 and they out of vengeance and animosity have attempted to give criminal colour to the civil dispute. He further contended that the registration of the FIR is apparently actuated by malafides and needs an immediate interference by this Court.
4. Perused the application which is supported with an affidavit. Also perused the main petition and the copies of documents enclosed with the same as annexures thereto.

5. List on 28th November, 2025.
6. In the meantime, subject to any vacation/modification upon the consideration of objections/arguments of the other side and till next date of hearing before the Bench, the operation of the impugned case FIR shall remain stayed.
7. The respondent No. 3 shall produce the CD file concerned for perusal of the Court on the next date of hearing.

(MOHD YOUSUF WANI)
JUDGE

SRINAGAR
17.10.2025
'Shahid Manzoor'

