

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

Reserved on: 05.08.2026

Pronounced on: 29.08.2026

Uploaded on: 29.08.2026

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

HCP No.358/2024

BILAL AHMAD LONE

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

Through: - Mr. Wajid Haseeb, Advocate.

Vs.

UT OF J&K & ANOTHER

...RESPONDENT(S)

Through: - Mr. M. Younis Hafeez, Assisting
Counsel, vice Mr. Mohsin Qadiri, Sr.
AAG.

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

JUDGMENT

1) Through the medium of present petition, the petitioner has challenged detention order bearing No.DMS/PSA/31/2024 dated 11.10.2024, issued by District Magistrate, Srinagar, whereby the detainee, namely, ***Bilal Ahmad Lone***, 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 allegations mentioned in the grounds of detention have no nexus with the detainee and that the same have been fabricated by the police in order

to justify its illegal action of detaining the detainee. It has been contended that grounds of detention are vague and non-existent, on the basis of which no prudent man can make an effective representation. It has been contended that the last alleged activity attributed to the detainee as per the grounds of detention has taken place in the year 2017 and thereafter no fresh activity has been attributed to him, as such, there is a delay of more than six years between the last alleged activity and the order of detention and this delay has snapped the proximity of the alleged activity and the order of detention. It has also 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 grounds of detention and the translated version thereof has not been supplied to the petitioner and that the representation filed by the petitioner against his detention has not been considered well in time.

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 considering the petitioner's past conduct in the light of surrounding circumstances. It has been further contended that the detainee was actively involved in the gruesome

lynching of a Dy. SP rank officer who was deployed to ensure peaceful culmination of huge gathering of devotees at Jamia Masjid on the eve of Shab-i-Qadr on the intervening night of 22-23/06/2017. It has been contended that the detenue had been indulging in the activities which are highly prejudicial to the security of the State. It has been averred that that whole of the material relied upon by the detaining authority while passing the impugned detention order has been furnished to the detenue and contents of the same were read over and explained to him. It has been further contended that the detenue was informed that he can make a representation to the government as well as to the detaining authority against his detention. It has been further averred that 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 detenue 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) Although the petitioner has urged a number of grounds in the writ petition, yet during the course of arguments, learned counsel for the petitioner has laid much emphasis on the following grounds:

- (I) That the petitioner was never released from custody, therefore, there was no question of his indulging in any fresh activity prejudicial to the security of the State.
- (II) That the material, particularly the material relating to the alleged fresh activities, was not furnished to the petitioner.
- (III) That the representation made by the petitioner against the impugned order of detention has not been considered by the respondents.
- (IV) That the grounds of detention are vague lacking in material particulars, therefore, it was not possible for the petitioner to make an effective and suitable representation against the impugned order of detention.

6) So far as the first ground urged by learned counsel for the petitioner is concerned, in this context a perusal of the record shows that the petitioner was found involved in as many as three FIRs, bearing FIR No.51/2017 for offences under Section 147, 139, 392, 341, 302 RPC, 13 UAP Act, FIR No. 52/2017 for offences under Section 147, 148, 149, 152, 336, 353, both registered with Police Station, Nowhatta, and FIR No.130/2016 for offences under Section 147, 148, 149,

152 of RPC registered with Police Station, Safakadal. It has been stated in the grounds of detention that the petitioner was enlarged on bail in these cases, whereafter, he was detained under the Public Safety Act in terms of detention order No.DMS/PSA/103/2022 dated 08.09.2022. It has further been stated that the petitioner was released from custody on 10.09.2024 after the expiry of period of detention. The grounds of detention further go on to provide that the petitioner did not mend his ways, as such, he was bound down on 14.09.202 in terms of Section 126/170 of BNSS. The impugned order of detention has been passed on 11.10.2024. Thus, from 10.09.2024 to 11.10.2024, the petitioner was not in custody. The contention of learned counsel for the petitioner that the petitioner was never released from custody, is not borne out from the record, as such, the same is without merit.

7) So far as contention of the petitioner with regard to non-supply of the material that formed basis of the grounds of detention is concerned, the same is also without any substance. The detention record produced by the respondents reveals that the petitioner has received copy of detention order (01 leaf), notice of detention (01 leaf), grounds of detention (03 leaves), dossier (05 leaves) and (48) leaves of other material (total 58 leaves). In this regard, the

petitioner has executed a receipt acknowledging the receipt of the aforesaid material. Thus, it cannot be stated that the material forming the basis of the grounds of detention was not furnished to the petitioner. The contention raised in this regard is, therefore, misconceived.

8) The next contention that has been raised by the petitioner is with regard to non-consideration of his representation made against the impugned order of detention. In this regard, a perusal of the detention record would show that the petitioner had made a representation with the Government on 21.10.2024. Vide communication dated 04.11.2024, the petitioner has been informed that his representation has been rejected. The petitioner, it appears from the record, has executed a receipt evidencing the fact that he has been informed about the rejection of his representation. Thus, the contention of the petitioner that his representation against the impugned order of detention has not been considered by the respondents is without any substance.

9) Lastly, it has been argued by learned counsel for the petitioner that the allegations made in the grounds of detention are vague, lacking in material particulars, on the basis of which, it was not possible for the petitioner to make an effective representation against the order of detention. In

this regard, a perusal of the grounds of detention would reveal that it has been specifically stated therein that, after the release of the petitioner from custody, credible inputs were received from sensitive sources indicating that a Pakistan-based TRF handler, namely Ahmad Khalid, has again contacted the petitioner through an encrypted messenger application asking him to recruit a fresh module of young boys to undertake terrorist activities. Thus, there are specific allegations in the grounds of detention against the petitioner which pertain to the period when he was released from custody after his earlier period of detention had expired. Even the individual with whom the petitioner is alleged to have established contact has been named in the grounds of detention. The contention of the petitioner that the allegations made in the grounds of detention are vague is, therefore, without any merit.

10) 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.

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

(Sanjay Dhar)
Judge

Srinagar
29.08.2026
“Bhat Altaf-Secretary”

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