

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

CCP(S) no. 83/2024 in WP(Crl) No. 150/2023

Muneeb Rasool Shenwari ...Petitioner(s)

Through: Mohammad Rafiq Bhat, Advocate.

Vs.

R. K. Goyal and Ors. ...Respondent(s)

Through: Mr. Mohsin Qadri, Sr. AAG with
Mr. Rais ud Din Ganie, Dy.AG.
Mr. Jehangir Ahmad Dar, GA
Mr. Minga Sherpa, Deputy Commissioner, Baramulla.
Mr. Amod Ashok, SSP Baramulla.

CORAM:

HON'BLE MR JUSTICE RAHUL BHARTI, JUDGE

ORDER

26.03.2024

In compliance to the direction given by this court in terms of an order dated 25.03.2024, Mr. Minga Sherpa-District Magistrate Baramulla, is present along with Mr. Amod Ashok-SSP Baramulla.

This court has made known to the two offices the serious concern of this court about loss of 79 days of his life by the petitioner by remaining under preventive custody without any legal basis only to earn his release upon intervention of this court when the petitioner came to file the present contempt petition apprising this court that despite quashment of his preventive detention in terms of judgement dated 30.12.2023 in WP(Crl) No. 150/2023 the petitioner has not earned his release from the custody w.e.f. the date of pronouncement of the judgement reading his detention illegal.

This court hopes that such like scenario does not repeat again and whenever the preventive detention of a detenu gets quashed, the

Government of UT of Jammu and Kashmir acts with reasonable dispatch to ensure that the detinue person is released from the custody without unwarranted loss of time.

The court let the petitioner restored to his personal liberty yesterday in terms of the order dated 18.03.2024 and therefore this contempt petition is closed without prejudice to the right of the petitioner, if any, to avail appropriate legal remedy against the defaulting/erring official or authority for illegal detention suffered by him post quashment of his detention order.

Disposed of.

SRINAGAR

26.03.2024

Ishaq



(RAHUL BHARTI)
JUDGE