SUPREME COURT OF AZAD JAMMU AND KASHMIR

[Appellate Jurisdiction]

PRESENT:

Raja Saeed Akram Khan, CJ.
Raza Ali Khan, J.

Criminal PLA No.05 of 2021
(Filed on 15.06.2021)

1. Liaqat Ali s/o Sultan Ali, caste Jatt r/o Dudyal, Tehsil and District Mirpur.
2. Chaudhary Fiaz Mehmood s/o Shahwali r/o Nagyal, Tehsil and District Mirpur presently in judicial Lockup.

……PETITIONERS

VERSUS

State through Advocate-General of Azad Jammua dn Kashmir.

….RESPONDENT

[On appeal from the order of the High Court dated 19.05.2021 in revision petition No.95-A/2021]

FOR THE PETITIONERS: Mr. Taimoor Ali Khan, Advocate.

FOR THE STATE: Raja Saadat Ali Kiani, Addl. Advocate-General.

Date of hearing: 23.06.2021

JUDGMENT

Raja Saeed Akram Khan, CJ–The learned counsel for the petitioners stated that through the impugned order, the case has been adjourned by the High Court to be placed before the Court on availability of the Judges, whereas, the petitioners have illegally been detained and in view of the order of the High Court there is no

redress to their grievance. This Court is vested with vast powers to pass any order to meet the ends of justice.

2. Raja Saadat Ali Kiani, the learned Additional Advocate-General stated that no question of public importance is involved in this case, hence, this petition is liable to be dismissed.

3. After hearing the learned counsel for the parties, we are of the view that no question of public importance is involved in this case. The learned Chief Justice of the High Court has declined to hear the case on the ground that he has been inquired in the matter. However, as presently no Judge is available in the High Court to hear the case, hence, for ends of justice we are inclined to dispose of this petition with the observation that the case is under trial, if from the statements of the witnesses, anything arises, making out the case of bail, the petitioner is at liberty to apply afresh for bail before the concerned forum.

With this observation, this petition for leave to appeal is disposed of.

CHIEF JUSTICE JUDGE

Mirpur,
23.06.2021