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| Supplementary List-I |
| Serial No. 168       |

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

CRM(M) No. 1391/2025  
CrlM No. 2581/2025

Date of pronouncement : 29.12.2025  
Uploaded on : 30.12.2025

UT of J&K ....Petitioner

Through:- Mr. Sumeet Bhatia, GA.

**V/s**

Raj Singh .....Respondent

Through:-

**CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE**  
**JUDGMENT (ORAL)**

**01.** The Sub-Divisional Police Officer (SDPO), Katra is petitioning this Court in the name of UT of Jammu & Kashmir through Police Station, Katra to challenge an order dated **16.05.2025** passed by the court of learned Principal Sessions Judge, Reasi granting bail in favour of the respondent-Raj Singh in relation to a criminal case referable to **FIR No. 103/2025** for alleged commission of offences under sections **8/21/22** Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985.

**02.** The court of learned Principal Sessions Judge, Reasi came to grant the bail in favour of the respondent-Raj Singh in response to bail application submitted on file No. **54/2025** instituted on **10.04.2025**.

**03.** Said bail application was objected to by the Prosecution, but, nevertheless, the learned Principal Sessions Judge, Reasi was convinced that a case was made out for grant of bail in favour of the respondent-Raj Singh though of course subject to the terms and conditions set out.

**04.** After a period of almost six months, it has occurred to the petitioner to feel bothered about the grant of bail to the petitioner, for which Govt. Order No. **15661-JK(LD) of 2025** dated **28.10.2025** came to be issued granting sanction for filing a petition under section 483(3) read with section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 before this Court and that is how the present petition has come to be instituted on **26.12.2025**.

**05.** The emphasis of the petitioner in seeking the quashment of the bail granting order is that the respondent-Raj Singh is a repeat offender and for that purpose reference is made to the fact that the respondent-Raj Singh was already booked in **FIR No. 101/2023** for alleged commission of offences under sections **8/21/2022** Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985.

**06.** The alleged factual backdrop in which the respondent-Raj Singh came to be booked in the **FIR No. 103/2025** is that while he was on his way as a pedestrian he was frisked by a patrolling party led by ASI Pritam Singh at 1730 hours on **09.04.2025**, whereupon the respondent-Raj Singh was found to be possessing 9.35 gms of heroine and that led to his booking.

**07.** When confronted by this Court as to under which provision of law the patrol party was able to frisk the respondent as a pedestrian, Mr. Submit Bhatia, learned Govt. Advocate for the petitioner submits that the **FIR No. 103/2025** does not make any such mention.

**08.** This Court finds no merit in the petition filed by the UT of Jammu & Kashmir in questioning the grant of bail by the court of learned Principal Sessions Judge, Reasi, as such, the present petition is **dismissed** along with connected application.

**(RAHUL BHARTI)**  
**JUDGE**

**JAMMU**  
**29.12.2025**

*Bunty*

Whether the judgment is speaking: Yes/No

Whether the judgment is reportable: Yes/No