

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

Case No. Bail App No. 12/2026
Date of pronouncement:- 24.04.2026
Date of uploading:- 24.04.2026

Ghulam Nabi Kaloo

.....Appellants

Through: Mr. Aftab Malik, Advocate

Vs

Union of India.

..... Respondents

Through: Mr. Sumant Sudan, Advocate vice
Mr. Eishan Dadhichi, CGSC

CORAM: HON'BLE MR. JUSTICE SHAHZAD AZEEM, JUDGE
ORDER
24.04.2026

1. The petitioner is seeking bail in Crime No 03/2023 dated 17 April 2023 and Supplementary Complaint No. 2025 under Section 8/20/29 of NDPS Act, 1985 of NCB Jammu.

2. The earlier bail application moved before the Court of learned Additional Sessions Judge, Samba ('the Special Court') was dismissed vide order dated 12 January 2026.

3. The complaint was laid by NCB, Jammu against the petitioner and co-accused namely, Iliyas Ismail Sheikh for commission of offences under Sections 8/20/29 & 60 of NDPS Act on 11 October 2023, however, the petitioner herein stated to have absconded, therefore, he was arrested much later and

charges against him came to be drawn up on 11 October 2025 under Section 8/20/29 NDPS Act.

4. The co-accused, Iliyas Ismail Sheikh, a resident of Mumbai came to be arrested on the basis of a prior information while he was travelling in his car bearing registration No. MH-04-JV-9534 on 17 April 2023 at Nanake Chak, Samba and during search of his vehicle, 09 packets containing Charas 9.300 kg were recovered. During the investigation, the co-accused alleged to have divulged that this huge consignment of narcotics had been purchased by him from petitioner herein, Ghulam Nabi Kaloo for Rs. 12,50,000/-. That is how, NCB, Jammu has filed the complaint against the accused, which is pending disposal before the Court of learned Additional Sessions Judge, Samba.

5. The petitioner has taken various legal and factual pleas in support of his petition for grant of bail, however, on perusal of the trial Court record, it has come to fore that by now, all 09 prosecution witnesses have been examined and matter is, thus, at the final stage.

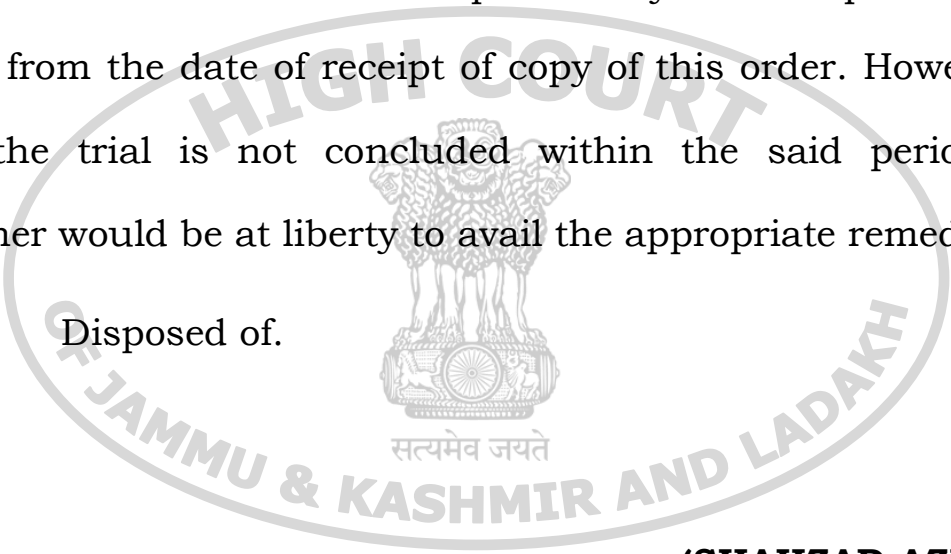
6. There is no denying the fact that the charges were framed against the petitioner on 11 October 2025 because he could not be arrested initially as he had been reportedly absconded, therefore, the question of delayed trial in the case on hand does not arise.

7. Similarly, the charges were framed after drawing prima-facie satisfaction regarding involvement of the accused in

commission of alleged offence, therefore, once trial has reached its final stage, any observation, finding or prima-facie view expressed by this Court while deciding the present bail application is likely to prejudice either party and impinge upon the independent mind of the Court, which alone is required to appreciate the evidence or innocence of the accused on merits.

8. Confronted with the peculiar facts and circumstances of the case, it is deemed proper to relegate the petitioner before the trial Court with a direction that the trial Court shall made an endeavor to conclude the trial expeditiously within a period of one month from the date of receipt of copy of this order. However, in case, the trial is not concluded within the said period, the petitioner would be at liberty to avail the appropriate remedy.

9. Disposed of.



(SHAHZAD AZEEM)
JUDGE

JAMMU
24.04.2026
Tarun/PS

Whether the order is speaking? Yes/No
Whether the order is reportable? Yes/No