

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

Case:- Bail App. No. 197/2025

c/w

CRM(M) No. 656/2025

Date of Pronouncement: 02.04.2026

Date of uploading: 04.04.2026

Vikas Kumar Sharma

.... Petitioner(s)

Through:- Mr. Ashish Sharma, Advocate.

V/s

Union Territory of J&K

.....Respondent(s)

Through:- Mr. Bhanu Jasrotia, GA.

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

ORDER
02.04.2026

1. The petitioner, in terms of order dated 22.07.2025, had already been admitted to *ad interim bail*, which has been extended from time to time. Today, the Investigating Officer is present and has produced the Case-Diary. Perusal of the same reveals that the FSL report is still awaited and, owing to the stay of investigation granted by this Court, further investigation could not be carried out. It is, however, reported that the petitioner has joined the investigation from time to time and, after the grant of ad interim bail, his conduct has remained supportive.

2. In the aforesaid background, except for obtaining the FSL report, nothing further remains to be carried out in the investigation except filing of the charge-sheet.
3. Accordingly, the bail application is allowed and the order of *ad interim bail* granted on 22.07.2025 is made absolute, subject to the conditions stipulated therein.
4. The Bail Application stands **disposed of** accordingly and the Case-Diary is returned.
5. The petitioner also seeks **quashment of FIR No. 80/2025 dated 21.06.2025** registered under Sections 8/21/22 NDPS Act, alleging false implication on account of political rivalry. It is pleaded that he was picked up from Hotel Tridev, Bagnoti, and later shown to have been in possession of 10 grams of heroin after planting of contraband, and that CCTV footage was suppressed to conceal illegal detention.
6. Per contra, the respondents submit that during Naka checking near Radha Swami Satsang Ghar, Bagnoti, the petitioner, travelling in Alto car No. JK02DL-7776, attempted to flee and, upon apprehension, 10 grams of heroin were recovered from his possession. The investigation further indicates linkage with co-accused Salim Ali, supported by telephonic records, and the contraband has been duly seized and sent for forensic examination.
7. Having heard learned counsel and perused the record, including the Case-Diary, this Court finds that the plea of false implication and planting of contraband raises disputed questions of fact which cannot be adjudicated in exercise of inherent jurisdiction. The

material collected during investigation prima facie discloses commission of offences under the NDPS Act. There is nothing on record to show that the prosecution case is ex facie false or an abuse of process.

- 8. It is well settled that inherent powers are to be exercised sparingly and not to stifle legitimate prosecution. At this stage, the defence sought to be raised by the petitioner cannot be examined in detail.
- 9. Accordingly, no case for quashment is made out and the petition is dismissed. Interim directions, if any, shall stand vacated. However, the investigating agency shall proceed strictly in accordance with law and consider any relevant material produced by the petitioner during investigation.
- 10. Disposed of as such.

JAMMU
02.04.2026
Nikhil



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