Serial No. 2
Supplementary Cause List-I

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

(Through Virtual Mode)

Bail App No. 117/2026
CrlM No. 1078/2026

Reeta Devi through Sulekha Devi **…Petitioner(s)**

Through:
Mr. Nikhil Padha, Advocate.

V/s.

Union Territory of J & K **...Respondent(s)**

Through:
Mr. Sumeet Bhatia, GA.

CORAM:
Hon'ble Mr Justice Shahzad Azeem, Judge.

ORDER
06.11.2026

01. The petitioner is facing trial before the Court of learned Additional Sessions Judge, Udhampur for the charges including offence under Section 302 RPC.

02. A similar bail application was earlier moved before the learned trial court, which came to be considered and rejected vide order dated 08.08.2022.

03. The learned counsel for the petitioner submits that as on date, out of listed 42 prosecution witnesses, 38 witnesses have been examined and only formal witnesses remained to be examined.

04. There is no denying the fact that when the learned trial court had considered and rejected the earlier bail application vide order dated 08.08.2022, entire set of evidence available on date was not before the trial court. Therefore, there was no occasion for the trial court to take into consideration the testimonies of these witnesses.

05. When confronted with this aspect of the matter, the learned counsel for the petitioner fairly conceded before the Court to approach the trial court with a fresh bail application. The statement made by learned counsel for the petitioner, is taken on record.

06. For the foregoing reasons, this petition is disposed of granting the liberty to the petitioner to file a fresh application before the trial court, taking all the available grounds including the testimonies of the witnesses recorded so far. The learned trial court shall consider the bail application, expeditiously, preferably within a period of four weeks from the date of filing of the application.

07. At this stage, the learned counsel for the petitioner has made a prayer that since an application for re-examination of one of the eye witnesses who happens to be the daughter of the deceased, is filed, which is also pending disposal, and seeks indulgence of this Court for appropriate direction to the learned trial court for expeditious disposal of the same.

08. In view of the submission made and in order to meet the ends of justice, the learned trial court is also directed to expeditiously deal with the application filed by the petitioner for re-examination of the witness and decide the same also within a period of four weeks.

09. **Disposed of**.



(Shahzad Azeem)
Judge

SRINAGAR:
November 6th 2026
"HAMID"

Abdul Hamid Bhat
I attest to the accuracy and
authenticity of this
document