Sr. No. 104

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

CRM(M) No. 818/2026

Harjinder Singh @ Jinda Baba and Anr. ….. Petitioner(s)/Appellant(s)

Through: Mr. Satyam Arora, Advocate
Mr. Sachin Raina, Advocate.

vs

UT of J&K and Anr. ….. Respondent(s)

Through: Mr. P. D. Singh, Dy. AG.

Coram: HON'BLE MR. JUSTICE RAJESH SEKHRI, JUDGE

ORDER
07.08.2026

01. Petitioners have invoked inherent jurisdiction of this Court for the quashment of order dated 30.07.2026, passed by learned 4th Additional Munsiff, Jammu ["the trial Court"], whereby bail granted to them on 29.07.2026 came to be cancelled on an application filed by the investigating officer on the solitary premise that petitioners/accused have failed to appear before him, as per conditions of the bail order.

02. A perusal of the impugned order reveals that learned trial Court has cancelled bail extended to the petitioners on mere asking of the investigating officer, within one day without issuance of any prior notice. The order *per se* is bad in the eyes of law.

03. In view of the above, present petition is allowed and impugned order is set aside with a direction to the trial Court to consider the application filed by the investigating officer afresh and pass the appropriate orders in accordance with law, after affording a reasonable opportunity of being heard to both the sides.

04. Needless to say that bail granted to the petitioners in terms of order dated 29.07.2026 shall remain in operation till the application is disposed of.

05. ***Disposed of***, along with connected application(s).

(Rajesh Sekhri)
Judge

Jammu
07.08.2026
Sushant