Serial No. 6
Regular Cause List

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

WP(C) 2656/2026

ROUF AHMAD DAR AND OTHERS …Petitioner(s)/Appellant(s).

Through: Mr. Raja Aslam, Advocate vice
Mr. Musavir Mir, Advocate

Vs.

UNION TERRITORY OF J AND K (HOME) TH.S.H.O P/S MATTAN ...Respondent(s).

Through: None

CORAM:

HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER

27.10.2026

1. Heard the learned counsel for the petitioners in respect of the matter.

2. The only grievance of the petitioners as projected through the medium of the instant petition is that they have been facing trial in case of FIR No.108/2023 of Police station Mattan, under sections 8/21 and 29 of NDPS act before the court of learned Special Judge NDPS cases Anantnag, which has become oppressive against them on account of long pendency of the same. It has been mentioned in the petition that they have been facing incarceration in the case since last more than two and a half years. That out of total 21 listed prosecution witnesses, the learned trial court has so far been able to examine only 11 witnesses. That their constitutional right to speedy trial guaranteed under article 21 of the constitution of India stands denied to them.

3. The learned counsel for the petitioners during his preliminary submissions informed the court that the trial in the case FIR concerned is

going on at snails pace and the completion of the same is likely to take so many further years, if it will go on the same pace. He submits that right to speedy trial is an important facet of the right to life and personal liberty guaranteed under Article 21 of the constitution of India.

4. In the facts and circumstances of the case and especially having regard to the prayer sought in the petition, the court is of the opinion that the matter can be disposed of even at this threshold stage by passing of appropriate directions which are not likely to prejudice the interest of the respondents but which are otherwise meant to be obeyed under the constitutional and statutory mandate.

5. Accordingly the instant petition is disposed of at this threshold stage with the direction to the learned trial court to conduct an expeditious trial in the case having regard to the pendency of the other under trial cases also so as to facilitate the early completion of the trial. It is directed that the hearings of the trial case shall not be adjourned to the periods exceeding 15 days and effective hearings shall be conducted for the examination of the unexamined witnesses.

6. **Disposed** of.

(MOHD YOUSUF WANI)
JUDGE

SRINAGAR
27.10.2026
"Opinder"