Serial No.13
Supplementary Cause List-2

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CRM (M) No. 925/2026
CrlM No. 2096/2026

Bilal Ahmad Wani

… Petitioner(s)

Through: -
Mr Imtiyaz Ahmad Rather, Advocate.

V/s

Union Territory of Jammu & Kashmir,
Through Station House Officer,
Police Station Shaheedgunj, Srinagar.

… Respondent(s)

Through: -
Mr Waseem Gul, Government Advocate and
Ms Shaila Shameem, Assisting Counsel;
Along with Investigating Officer (IO) present in person.

CORAM:

Hon'ble Mr. Justice Shahzad Azeem, Judge.

(ORDER)

05.11.2026

01. The Petitioner has invoked the jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 [BNSS], seeking quashing of Order dated 16th of September, 2026 passed by the learned Special Judge, NDPS Cases, Srinagar, whereby the Petitioner, along with co-accused, have been charge-sheeted for the commission of offences under Sections 8, 20 and 29 of the Narcotic Drugs and Psychotropic Substance Act [NDPS Act].

02. The principal ground urged by the Petitioner is that except for the statement of co-accused, there is no material against the Petitioner connecting him with the commission of alleged offences.

03. When the matter was taken up for consideration, learned Counsel for the Petitioner also argued on the same lines that, though the Trial Court has mentioned the existence of Call Detail Records (CDRs) showing that the accused No.1 (Petitioner) and accused No.6 were in touch with each other in respect of the alleged trafficking of narcotics, no cell number finds mention in the impugned Order. Therefore, the satisfaction drawn by the Trial Court, while framing the charges, does not rest on sound reasoning and is not in consonance with the settled

proposition of law governing the standard of satisfaction required at the stage of framing the charges.

04. On the asking of the Court, Mr Waseem Gul, learned Government Advocate, appeared on behalf of the Respondent-UT and also produced the entire material forming the subject matter of *Challan* presented before the Trial Court.

05. Perusal of the material reveals that the CDRs, preserved by the Investigating Officer (IO), show the details of the cell numbers from which accused No.1 and 6 allegedly remained in touch. Therefore, the plea of the Petitioner that there is no material against him worth the name is unfounded, proceeds on a wrong premise, and is liable to be rejected.

06. Confronted with the above factual and legal position, learned Counsel for the Petitioner seeks to withdraw the instant Petition with liberty to the Petitioner join the trial. The statement made is taken on record.

07. In view of above, this Petition is **dismissed** as withdrawn, along with the connected CrlM.

(Shahzad Azeem)
Judge

SRINAGAR
November 5th, 2026
"TAHIR"

HIGH COURT
JAMMU & KASHMIR AND LADAKH

Tahir Manzoor Bhat
I attest to the accuracy and
authenticity of this
document