S. No. 1

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

CrlM(2196/2026) IN CRM(M) 967/2026 CrlM(2195/2026)

MOHAMMAD RAZA …Petitioner/Appellant(s)

Through: Mr. Sajad Ahmad Mir, Advocate.

Vs.

UNION TERRITORY OF J AND K (HOME) AND OTHERS ...Respondent(s)

Through:

CORAM:

HON'BLE MR JUSTICE SHAHZAD AZEEM, JUDGE

O R D E R

20.11.2026

01. The petitioner has called in question the order dated 04.08.2024, whereby the petitioner along with co-accused were charge-sheeted for commission of offences under Sections 8/21/29 of NDPS Act.

02. Although, the petitioner has thrown challenge to the FIR No.77/2024 as well as order framing the charges, during the course of hearing, the attention of this Court was drawn to the observation made by the learned Trial Court while framing the charges. The learned Trial Court specifically held that the petitioner has been roped in solely on the basis of the statement of the co-accused and that there is nothing against him in the statement recorded under Section 180 of the BNSS during the investigation.

03. On the basis of above said facts, the learned counsel for the petitioner fairly submitted that the main grievance of the petitioner, besides the challenge laid in the petition, is also the substantial delay caused by the learned Trial Court so far.

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04. It is submitted that despite the lapse of two years, the learned Trial Court has not examined any prosecution witnesses, so much so that the case is not even reflected on the e-Court Portal.

05. It is further contended that the petitioner will be satisfied, if the learned Trial Court is directed to conclude the trial expeditiously within a reasonable time.

06. In view of the submissions made by learned counsel for the petitioner, it appears that the learned Trial Court is proceeding in the case at a snail's pace, despite having itself noted in the impugned order, whereby the charges were framed against the petitioner, that there is no admissible evidence available against the petitioner. This has resulted in an anomalous situation and a clear breach of the constitutional mandate of a speedy trial.

07. In this view of the matter, the petition is taken up and disposed of with a direction to the learned Trial court to fix a calendar and conclude the trial without fail within a period of two months from the date a copy of this order is made available.

08. **Disposed** of.

(SHAHZAD AZEEM)
JUDGE

SRINAGAR
20.11.2026
Ishaq

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