Serial No. 1

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

CRM(M) No. 1051/2026
CrlM No. 1920/2026

Mamta Kansal .....Appellant(s)/Petitioner(s)

Through: Mr. Asheesh Singh Kotwal, Advocate
Mr. Pankaj Basotra, Advocate

vs

Union of India ..... Respondent(s)

Through: Mr. Vishal Sharma, DSGI with
Mr. Karan Sharma, CGSC

Coram: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER
30.09.2026

1. Through the medium of present petition, the petitioner has challenged order dated 10.08.2026 passed by the learned Special Judge (NDPS) Cases, Jammu to the extent consideration of her application for grant of bail has been deferred.

2. Issue notice to the respondent.

3. Mr. Karan Sharma, CGSC accepts notice on behalf of the respondent.

4. Learned counsel for the petitioner has submitted that it seems that the learned Special Judge has deferred the consideration of the bail application of the petitioner on the ground that this Court vide orders dated 31.01.2026 and 07.08.2026 has stayed the operation of the order dated 30.07.2026 and order dated 29.12.2025 passed by the Special Judge, as a result of which, the court has felt incapacitated to hear the arguments on charge/discharge.

5. In the above context, it is to be noted that the orders dated 29.12.2025 and 30.07.2026 passed by the learned Special Judge were stayed by

this Court passed in the proceedings filed by the co-accused. However, the orders passed by this Court did not restrain the Special Judge from considering the bail applications of the accused. Therefore, it would be open to the learned Special Judge to decide the bail application of the petitioner or any other accused notwithstanding orders dated 31.01.2026 and 07.08.2026 passed by this Court in the proceedings filed by the co-accused.

6. The petition stands **disposed of**.

(SANJAY DHAR)
JUDGE

Jammu
30.09.2026
Neha-II

HIGH COURT OF JAMMU & KASHMIR AND LADAKH

NEHA KUMARI
2026.09.30 18:58
I attest to the accuracy and
integrity of this document