Serial No. 53
Supplementary Cause List

HIGH COURT OF JAMMU& KASHMIR AND LADAKH
AT SRINAGAR

CRM (M) No. 826/2026
CrlM No. 1898/2026

Union Territory of Jammu & Kashmir,
Through Station House Officer,
Police Station Karnah, District Kupwara.

… Petitioner(s)

Through: -
Mr Bikramdeep Singh, Dy. AG with
Mr Haaris Khan, Advocate.

V/s

Javid Ahmad Chad & Ors.

… Respondent(s)

CORAM:

Hon'ble Mr Justice Yash Paul Bourney, Judge.

(ORDER)
09.10.2026

01. Heard learned Counsel appearing for the Petitioner-UT.

02. The Union Territory of Jammu & Kashmir, through Station House Officer, Police Station Karnah, District Kupwara, has filed the instant Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 [for short "the BNSS"] read with Section 483 (3) of the BNSS, seeking cancellation of bail granted in favour of the accused/ Respondents herein by the Court of learned Principal Sessions Judge, Kupwara in a case titled **'UT of J&K v. Javid Ahmad Chad & Ors.'**.

03. Learned Counsel appearing for the Petitioner-UT has submitted that the accused/ Respondents have been admitted to interim bail vide Order dated 7th of November, 2025, notwithstanding the gravity of charges and the evidence adduced by the Prosecution, when the trial is in the midway. It is further submitted that, although the interim bail so granted in favour of the accused/ Respondents herein has not been extended, yet they still continue to be at large.

04. In this behalf, the learned Counsel for the Petitioner has referred to the interim Order passed by the Trial Court in the application on 2nd of June, 2026.

05. The practice of granting interim bail in the midway during the currency of trial is something which the Trial Courts need to be very cautious and, if they find that a case for grant of bail is made out taking into account the facts and circumstances in totality of a particular case, there should be no hesitation in granting bail, however, granting interim bail and then keeping the matter on board deprives the other side from seeking appropriate orders/ remedy. Therefore, such a practice needs to be discouraged outrightly.

06. In view of above and having regard to the peculiar facts and circumstances of this case, the present Petition shall stand **disposed** of at this stage, giving liberty to the Petitioner-UT to move a motion for permission of the Trial Court to take the accused/ Respondents herein into custody, if the interim bail granted in their favour is not extended and, in any case, the Trial Court is directed to dispose of the main bail application filed by the accused/ Respondents herein finally within a fortnight.

07. **Disposed** of, along with the connected CrlM.

(Yash Paul Bourney)
Judge

SRINAGAR
October 9th, 2026
"TAHIR"

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