

Serial No. 07
Regular List

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Bail App. No. 50/2026
c/w
CRM(M) No. 1148/2025

Bagh Hussain @ Baghu @ Sunny
Th. His brother Kaka Hussain

.....Petitioner

Through: Mr. Asheesh Singh Kotwal, Advocate

Vs

UT of J&K & Anr.

.....Respondents

Through: Mr. Adarsh Bhagat, GA vice
Mr. Pawan Dev Singh, Dy. AG

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE
ORDER
(15.04.2026)

- 01.** Before coming up with the present petition invoking Section **528 of Bharatiya Nagarik Suraksha Sanhita, (BNSS), 2023** thereby seeking grant of bail by reference to **FIR No. 54/2025** registered by Police Station, Bishnah, Jammu for alleged commission of offences under Sections 109, 111, 121, 132, 307 of **Bharatiya Nyaya Sanhita, (BNS) 2023**, the petitioner came to petition this Court with **CRM(M) No. 1148/2025** instituted on **04.11.2025** seeking quashment of very said FIR.

- 02.** This Court, in terms of order dated **07.11.2025**, passed in **CRM(M) No. 1148/2025** did not stay the investigation of the case but only subjected the presentation of final police report with permission of this Court and that is how the investigation of the case is going ahead at the end of Police Station, Bishnah and in the meantime, the petitioner has now come up with the present petition filed on **23.03.2026** stating that he is in a state of custody, and now on judicial remand, w.e.f. **09.06.2025** the day on which the FIR was registered.
- 03.** This Court has called upon Mr. Asheesh Singh Kotwal, learned counsel for the petitioner first to take a call as to whether the petitioner intends to pursue quashment petition or the present bail petition as the two cannot be pursued simultaneously by him, particularly, keeping in view the nature of the accusations finding mention in the FIR.
- 04.** Given the fact that FIR is of June 2025, as such, by this time, investigation is expected to have reached to a logical end for the purpose of coming up with a final police report, as such, this Court calls upon Mr. Adarsh Bhagat, learned Government Advocate appearing vice

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Mr. Pawan Dev Singh, learned Deputy Advocate General to get the Investigating Officer of the **FIR No. 54/2025** present along with CD file on next date of hearing i.e. **20.04.2026**.

(RAHUL BHARTI)
JUDGE

JAMMU
15.04.2026
SUNIL

