

S. No. 91

Regular Cause List

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

Case:- Bail App No. 30/2024

**Bansi Lal Aged 56 years** ...Appellant(s)/Petitioner(s)  
**S/o Late Sh. Chuni Lal**  
**R/o Near Boys Primary School**  
**Chakrohi**  
**A present lodged in Central Jail, Kot**  
**Bhalwal, Jammu**  
**Through his wife**  
**Mrs. Shashi Kant**

Through: Mr. Sunil Sethi Sr. Advocate with  
Mr. Shanum Gupta, Advocate.  
**(Through Video Conferencing)**

**Vs.**

**1. U.T. of J&K** ...Respondent(s)  
**Through In charge Police Station,**  
**Police Station Sumbal, Bandipora**  
**2. Superintendent,**  
**Central Jail, Kot Bhawal, Jammu.**

Through: Mr. P.D. Singh, Dy. AG.

**CORAM:**

**HON'BLE MR. JUSTICE ATUL SREEDHARAN, JUDGE**

**ORDER(ORAL)**

03.07.2024

**01.** The applicant has moved the present application for grant of bail in the aforementioned case. He was arrested in the year 2006. He being a member of the police had been charged with for murder of innocent man projecting him to be a terrorist.

**02.** Learned senior counsel for the applicant submits that he has been in judicial custody for the past almost 18 years and has never come out on bail except for a few months on interim bail.

**03.** There are total 72 (Seventy two) witnesses in this case out of which only 28 have been examined in the past 17 (Seventeen) years. This Court is astound by the facts of this case. This is a clear cut case of violation of Article 21 on account of delayed trial. The trial is delayed at the stage of prosecution witnesses. The State is unable to show how the delay could be attributed to the applicant.

**04.** Under the circumstances, the application is allowed. The applicant is to be released on bail forthwith upon furnishing personal bond of Rs. 50,000/- and one surety of the like amount to the satisfaction of the Registrar Judicial. The application stands *disposed of*.

(ATUL SREEDHARAN)  
JUDGE

**JAMMU**  
03.07.2024  
Mihul

Whether the order is speaking?	Yes/No
Whether the order is reportable?	Yes/No