

**VERDICTUM.IN**

ITEM NO.51

COURT NO.3

SECTION II-C

**S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (Crl.) No(s). 1028/2024

(Arising out of impugned final judgment and order dated 30-12-2023 in BA No. 146/2023 passed by the High Court of Jammu & Kashmir and Ladakh at Jammu)

ARJUN KATTAL

Petitioner(s)

VERSUS

THE STATE OF JAMMU AND KASHMIR

Respondent(s)

( IA No.18030/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT )

Date : 30-01-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI  
HON'BLE MR. JUSTICE SANJAY KAROL

For Petitioner(s) Mr. Ranjeet Kumar, Adv.  
Mr. Anant Kumar, Adv.  
Mr. Simanta Kumar, Adv.  
Mr. Mithlesh Kumar, Adv.  
Mr. Karan Tomar, Adv.  
Mrs. Jaya Kiran, Adv.  
Ms. Jyoti Singh, Adv.  
Dr. Pratap Singh Nerwal, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

1. The petitioner has approached this Court with a grievance that though the application for grant of bail before the High Court is pending for last more than six months, the same is not being decided on merits.
2. When the petition came up before this Court, the order that was challenged is of 30.12.2023. Vide the said order the Court observed that in case the learned counsel for the respondent fails to appear and assist the Court on the next date of hearing the said

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application shall be considered on merits. The matter was directed to be listed on 29.01.2024.

3. Yesterday, when the matter was listed before this Court, since the matter was also posted before the High Court on the same day, we had adjourned the matter for today so that the learned counsel for the petitioner could inform us about the progress of the matter.

4. Today, when the matter is called out, the learned counsel for the petitioner states that again the matter has been adjourned by the High Court for 23.02.2024.

5. We fail to appreciate the speed at which the High Court is dealing in the matter pertaining to the personal liberty of a citizen. The bail matters ought to be decided as expeditiously as possible.

6. We could have dispose of the matter by remanding the matter to the High Court and requesting it to decide the bail application expeditiously.

7. However, taking into consideration the fact that the petitioner has been incarcerated in jail for a period of almost eight years, we are inclined to consider the request of the petitioner in this Court itself, despite the pendency of the matter before the High Court.

8. Issue notice, returnable on 13.02.2024.

9. Dasti service, in addition, is permitted.

10. In addition to the usual mode, liberty is granted to the petitioner(s) to serve notice through the Standing Counsel for the respondent.

(NARENDRA PRASAD)  
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)  
COURT MASTER (NSH)