



IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION (CRL.) NO.99/2026

LIAKAT ALI

Petitioner(s)

VERSUS

STATE OF JAMMU AND KASHMIR

Respondent(s)

O R D E R

This is a writ petition seeking to invoke our powers under Article 32 of the Constitution of India, 1950. The prayer in the writ petition is for the grant of bail, as the petitioner has been under incarceration for a period of more than nine years and two months. In short, the grievance of the petitioner is that the trial is proceeding at a snail's pace, for no fault of his. The petitioner's bail application has attained

finality in the year 2024. Even thereafter, there is no substantial progress in the trial, since as of yet only 12 out of 30 prosecution witnesses have been examined before the Trial Court.

Learned counsel appearing for the petitioner further submits that the petitioner was a young boy at the time of the alleged occurrence.

The charge against the petitioner is on the basis of circumstantial evidence. The principles governing the presumption of innocence of an accused and bail is the rule and jail is exception have to be considered.

Learned counsel appearing for the respondent-State submits that nothing prevented the petitioner from filing a fresh bail application, as the offences alleged against him are punishable under Sections 302, 382, 201 read with Section 34 of the Ranbir Penal Code, 1989 and there is no need for interference.

In the normal course, we would not have

entertained this petition.

However, the continued delay in trial and prolonged incarceration shocks our judicial conscience. The petitioner was a teenager at the time of the alleged occurrence and has been charged with the commission of murder based on circumstantial evidence. He has been under incarceration for a period of nine years and two months, for no fault on his part. At this rate, the trial is likely to take further time. When the accused is under incarceration, it is incumbent upon the Court and the prosecuting agency to expedite the conduct of the trial. Considering the facts of the case, we are inclined to invoke our powers under Article 32 of the Constitution of India by granting bail to the petitioner, for which appropriate conditions will have to be imposed by the concerned Trial Court.

Ordered accordingly.

Accordingly, the Writ Petition stands

allowed.

Pending application(s), if any, shall stand
disposed of.

.....J.
[M.M. SUNDRESH]

.....J.
[PRASANNA B. VARALE]

NEW DELHI;
JULY 16, 2026.

ITEM NO.25

COURT NO.4

SECTION X

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

Writ Petition(s)(Criminal) No(s). 99/2026

LIAKAT ALI

Petitioner(s)

VERSUS

STATE OF JAMMU AND KASHMIR Respondent(s)
IA No. 66178/2026 - EXEMPTION FROM FILING O.T.

Date : 16-07-2026 This matter was called on for
hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) Mr. Ranjeet Kumar, Adv.
Mr. Simanta Kumar, Adv.
Mr. T. R. Naval, Adv.
Mrs. Sushma Kumari, Adv.
Dr. Pratap Singh Nerwal, AOR

For Respondent(s) Mr. Parth Awasthi, Adv.
Mr. Pashupathi Nath Razdan,
AOR

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

The Court *inter alia* directed as under:

“Considering the facts of the case,
we are inclined to invoke our powers

under Article 32 of the Constitution of India by granting bail to the petitioner, for which appropriate conditions will have to be imposed by the concerned Trial Court."

The Writ Petition stands allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(ASHA SUNDRIYAL)
DEPUTY REGISTRAR

(POONAM VAID)
ASSISTANT REGISTRAR

[Signed order is placed on the file]