

Divyas Bardewa vs Narcotics Control Bureau on 1 May, 2023

Bench: A.S. Bopanna, Hima Kohli

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ITEM NO.8

COURT NO.12

SEC

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Petition(s) for Special Leave to Appeal (Crl.)

No(s).

(Arising out of impugned final judgment and order dated 03-06-2022
in CRLRP No. 368/2022 passed by the High Court Of Delhi At New
Delhi)

DIVYAS BARDEWA

VERSUS

NARCOTICS CONTROL BUREAU

(IA No. 41799/2023 - APPLICATION FOR PERMISSION AND IA No.
52371/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 01-05-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s)

Mr. Vikram Hegde, AOR
Mr. Chitwan Sharma, Adv.

For Respondent(s)

Mrs. Aishwarya Bhati, A.S.G.
Mr. Rajan Kumar Chourasia, Adv.
Ms. Deepabali Dutta, Adv.
Ms. Ameyavikrama Thanvi, Adv.
Ms. Shivika Mehra, Adv.
Mr. Arvind Kumar Sharma, AOR
Ms. Ayushi Nagar, Adv.
Mr. Pratham Sagar, Adv.

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

Heard the learned counsel for the petitioner as also the learned ASG for the respondent and perused the petition papers.

The primary question sought to be urged in the instant petition is with regard to the petitioner having acquired a right to seek for statutory bail, since the charge-sheet filed is without the FSL report.

That aspect of the matter, at this juncture, need not be gone into, since the said issue is pending consideration in a batch of petitions which would take sometime for hearing and this petition is also to be considered along with those petitions. For the present, we note, that even in the other pending cases before this Court, in SLP(Crl) Nos. 8164-8166/2021 and other similar petitions, without reference to the statutory bail, taking note that the petitioners have been in custody for sometime and the trial would take some more time to conclude, we had directed grant of bail to the petitioners.

In that view, in the instant case also, we direct that the petitioner be released on bail subject to the petitioner diligently participating in the trial. All contentions are however, left open to be considered with regard to the issue relating to the default bail.

List the instant petition along with the other connected petitions in their usual course.

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(DIPTI KHURANA)
ASSISTANT REGISTRAR