

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 (CrI.) No(s). 4154/2020

(Arising out of impugned final judgment and order dated 19-07-2019 in IA No. 1/2019 in Criminal Appeal No. 2155/2018 passed by the High Court Of Karnataka At Bengaluru)

SEVYANAIAK

Petitioner(s)

VERSUS

THE STATE BY EXCISE INSPECTOR

Respondent(s)

(IA No. 64794/2020 - EXEMPTION FROM FILING AFFIDAVIT)

Date : 18-11-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE R. SUBHASH REDDY
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s)

Mr. Shanthkumar V. Mahale, Adv.
Mr. Rajesh Mahale, AOR

For Respondent(s)

Mr. Shubhranshu Padhi, AOR
Mr. Ashish Yadav, Adv.
Mr. Rakshit Jain, Adv.
Mr. Vishal Bansal, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel for the petitioner as well as learned counsel for the State.

This special leave petition has been filed against the order dated 19.07.2019 passed by the High Court, by which the application for suspension of the sentence and grant of bail has been rejected.

The petitioner has been convicted under Section 8(b) read with Section 20(a)(i) of the Narcotic Drugs and Psychotropic Substances Act, 1985. The petitioner has been sentenced for four years. He filed the appeal in the year 2018 which is said to be pending.

Learned counsel for the petitioner submits that the petitioner is in custody for about two years. Learned counsel for the petitioner further submits that the High Court while rejecting the bail application on 04.01.2019 though observed that liberty was granted for filing an application for early hearing yet the appeal has not been listed for hearing.

Be that as it may, considering the facts, we are of the view that the case has been made out to suspend the sentence and grant bail to the petitioner on such terms and conditions as may be fixed by the Trial Court. We order accordingly.

With the above observation, the special leave petition stands disposed of.

Pending application, if any, stands disposed of.

(MEENAKSHI KOHLI)
ASTT. REGISTRAR-cum-PS

(RENU KAPOOR)
COURT MASTER