

ITEM NO.13                      Court 4 (Video Conferencing)                      SECTION II

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s).6441/2021

(Arising out of impugned final judgment and order dated 08-03-2021 in BA No. 5930/2017 passed by the High Court of Judicature at Allahabad, Lucknow Bench)

UNION OF INDIA

Petitioner(s)

VERSUS

SHAHNAWAZ

Respondent(s)

(FOR ADMISSION and I.R. and IA No.107018/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 17-09-2021 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s)      Mr. S.V. Raju, ASG  
                                 Mr. Prashant Singh-A, Adv.  
                                 Mr. Adit Khorana, Adv.  
                                 Ms. Aakansha Kaul, Adv.  
                                 Mr. Amit Sharma, Adv.  
                                 Mr. B. V. Balaram Das, AOR

For Respondent(s)

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

1      Mr S V Raju, Additional Solicitor General, submits that:

- (i)      The respondent was in possession of 1.984 kgs of Charas when he was arrested at a bus stand on 22 April 2016;
- (ii)     The commercial quantity is 1 kg;

- (iii) The High Court has, *ex facie*, failed to note and apply the provisions of Section 37 of the Narcotics Drugs and Psychotropic Substances Act 1985; and
- (iv) There has been no application of mind to relevant circumstances and to the seriousness of the offence.

2 Issue notice, returnable in six weeks.

**(SANJAY KUMAR-I)**  
**AR-CUM-PS**

**(SAROJ KUMARI GAUR)**  
**COURT MASTER**