

ITEM NO.30 Court 4 (Video Conferencing) 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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 22749/2020

(Arising out of impugned final judgment and order dated 11-10-2019 in CRLP No. 6359/2019 passed by the High Court Of Karnataka At Bengaluru)

UNION OF INDIA

Petitioner(s)

VERSUS

ABU THAHIR B @ ABDU

Respondent(s)

(IA No.114729/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.114728/2020-CONDONATION OF DELAY IN FILING APPEAL)

Date : 07-01-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. Aman Lekhi, ASG (NP)
 Mr. Merusagar Samantaray, Adv.
 Mr. Bhuvan Mishra, Adv.
 Mr. B. V. Balaram Das, AOR

For Respondent(s)

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

Delay condoned, although we are not convinced with the grounds stated for condoning the delay.

On merits, we find no reason to interfere with the *prima facie* opinion recorded by the High Court that it is a case of non-compliance of Section 42 of the Narcotic Drugs and Psychotropic Substances Act, 1985 for which

reason the private respondent came to be released on bail on 11.10.2019.

At this distance of time, in any case, that position cannot be reversed. The Special Leave Petition is dismissed accordingly.

The Trial Court shall take necessary steps to conclude the trial preferably by end of June, 2021 and during the trial, if it is noticed that the private respondent is not cooperating with the Court, that can be a cause for cancellation of bail being violation of condition of bail, which can be invoked by the petitioner. That plea be decided on its own merits.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)