

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.188 OF 2016

IN

CRIMINAL APPEAL NO.336 OF 2012

The State of Maharashtra	...	Applicant
V/s.		
Balvinder Santoshsingh Kala	...	Respondent

.....

Ms.V.S.Mhaispurkar, APP for the Applicant/State.

....

CORAM : A.M.BADAR J.

DATED : 28th FEBRUARY 2017.

P.C. :

1 This is an application by the State for permitting it to destroy the seized contraband.

2 Heard the learned Additional Public Prosecutor for the applicant/State. She argued that respondent/accused No.4 has preferred an appeal and that is pending for disposal.

3 According to the learned Additional Public Prosecutor, the seized contraband is in huge quantity and, therefore, it needs to be destroyed.

4 I have perused the impugned Judgment and Order passed by the learned trial Court. The accused no.4 Balvinder Santoshsingh Kala is convicted of the offence punishable under Sections 8(c) read with Section 20(b)(ii)(C) and 8(c) 20(b)(ii)(C) read with Section 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985. He is sentenced to suffer rigorous imprisonment for fifteen years apart from direction to pay fine on each count. As the appeal filed by the respondent/accused No.4 is pending and the question of possession of Narcotic Drugs is involved in the appeal, the application cannot be considered at this stage.

5 Hence, the application is rejected.

6 Hearing of the appeal is expedited in its category.

(A.M.BADAR J.)