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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ BAIL APPLN. 1205/2016

MAHAVIR SINGH

..... Petitioner

Through : Mr.Yogesh Saxena, Advocate.

versus

NARCOTICS CONTROL BUREAU

..... Respondent

Through : Mr.P.C.Aggarwal, Advocate.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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28.02.2017

1. The petitioner seeks regular bail under Section 439 Cr.P.C. in Sessions Case No.26/2013 under Sections 8, 22, 23 and 29 N.D.P.S. Act registered by Narcotics Control Bureau. Status report is on record.

2. I have heard the learned counsel for the parties and have examined the file. The petitioner was arrested by NCB official on 13.09.2012. He was granted bail by the Trial Court vide order dated 08.11.2012 with the observations that it would be effective till the date the issue in question was finally decided by the Hon'ble Supreme Court in the matter *Anil Kumar Menon vs. Union of India & Anr.* (SLP

Criminal No.2026/2011). The investigation was carried out. On 11.11.2013, a complaint was filed by the respondent before learned Special Judge. After dismissal of the SLP, the petitioner surrendered before the Trial Court on 24.09.2014 and continues to be in custody since then.

3. Admitted position is that it is not a case of commercial quantity of psychotropic substance. Embargo of Section 37 of NDPS Act is not applicable to the present case. The petitioner was granted interim bail by order dated 20.01.2016 and there are no allegations of its misuse.

4. Co-accused Sanjeev Tanwar has been granted bail by this Court vide order dated 24.04.2015 in Bail Appl.No.2684/2014.

5. Considering the peculiar facts and circumstances referred above, the petitioner is admitted to bail on his furnishing personal bond in the sum of ₹50,000/-with one surety in the like amount to the satisfaction of the Trial Court.

6. The application stands disposed of.

7. Order *dasti*.

S.P.GARG, J.

FEBRUARY 28, 2017/sa