

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 2543 OF 2016

Neelo Madan Chadiwal

... Applicant

V/s.

Narcotic Control Bureau, Mumbai & Anr.

... Respondents

WITH

BAIL APPLICATION NO. 2544 OF 2016

Abhishek Madan Chadiwal

... Applicant

V/s.

Narcotic Control Bureau, Mumbai & Anr.

... Respondents

Mr.Dinesh Tiwari a/w Swapnil Ambure, Mikhail Dey and Tanvi Mehta i/b Dinesh Tiwari and Associates for the Applicants.

Ms. Yasmin Katpitta for the Respondent No.1 in BA/2543/2016.

Ms. Rati Amrolia for the Respondent No.1 in BA/2544/2016.

Ms. A.A. Takalkar, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 24th JANUARY, 2018

P.C.:

. After hearing learned Counsel for Applicant at length, when this Court was not inclined to grant any relief, the learned Counsel on instructions seeks leave to withdraw the applications with liberty to file a fresh application for bail, if the trial pertaining to Special Case no. 1 of 2016 pending on the file of Additional Sessions Judge, Palghar does not conclude within a period of one year from today.

2 Leave and liberty granted.

3 It is to be noted here that the Applicants are in jail since 08.01.2016 and

the trial of the present case has not commenced till date. In view thereof, the learned Additional Sessions Judge/ Special Judge, Palghar seized of Special Case No. 1 of 2016 is hereby directed to conclude the trial of the said case within a period of one year from the date of receipt of the present order.

4 Applications are dismissed as withdrawn in the aforesaid terms.

5 The record of present application indicates that this Court in its order dated 23.08.2017 has taken a serious note of paucity of Special Public Prosecutors in conducting cases arisen out of NDPS Act particularly in Greater Mumbai, Mumbai Suburban, Thane and Palghar District. The learned Additional Solicitor General had made a statement that the process of appointing additional Special Public Prosecutors has already been undertaken and will be completed within stipulated period mentioned in Order dated 29.09.2017. Therefore, as far as the appointments of the Special Public Prosecutors to conduct cases under the NDPS Act in the Courts situated at Greater Mumbai, Mumbai Suburban, Thane and Palghar District are concerned, present applications are kept pending for compliance of the same.

6 Place these matters under the caption of Direction on 14.02.2018.

(A.S.GADKARI, J.)