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

+ **BAIL APPLN. 1413/2018**

JAGDISH KUMAR ARYA

..... Petitioner

Through: Mr. Ashok K. Singh, Ms. Sonakshi
Monga and Ms. Ankita Baluri,
Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. G.M. Farooqui, APP for State
with Insp. Shiv Darshan, STARS-II,
Crime Branch.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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17.07.2018

This petition seeks bail in FIR No. 0153/2017 dated 05.09.2017 registered under section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 at PS. Crime Branch, Delhi. It is the petitioner's case that he was not in conscious possession of the contraband "Ganja" of 305 kg.

According to the petitioner, he had obtained 8 parcels for delivery at New Delhi Railway Station and was to deliver it to the consignee at Gandhi Nagar Market, Delhi on instructions of Mr. Rajesh, for whom he had made similar deliveries earlier. It is the petitioner's case that he did not know as to what the consignment contained because the parcels were intact when he received them from the Railways, till the police opened them. It is argued that it contained clothes and not anything else which might be prohibited in

law. According to the Status Report, the petitioner had arrived at the Railway Station from Faridabad in an Auto/TSR which was booked to take the petitioner back to Faridabad. The quantum of recovery of contraband from the petitioner falls in the commercial category. The learned counsel states that the FSL Report in this regard and the call records establishes the link between the petitioner and the other accused persons apropos the contraband consignment of two other persons of syndicate.

The learned counsel for the petitioner states that the FSL Report has not been entirely examined by him.

In view of the above, he does not press the petition at this stage. Accordingly, it is dismissed as withdrawn.

NAJMI WAZIRI, J

JULY 17, 2018

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