

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 14 OF 2019

Prabhakar C. Gawans.

..Petitioner.

Versus

Union of India and Another.

..Respondents.

Mr. Ayaz Khan for the Petitioner.

Ms. Rebecca Gonsalves for Respondent No. 1.

Mr. K. V. Saste, APP for the Respondent-State.

Coram : RANJIT MORE &
N. J. JAMADAR, JJ.

Date : **September 9, 2019.**

P. C. :

1. Heard. The petition is filed seeking direction to Respondent No.1 to de-seal the factory premises of Rohan Chemicals Private Limited situated at Plot No. E-26/3, MIDC, Mahad, District Raigad. The Petitioner is the director of the said company and an accused in NDPS Special Case No. 1 of 2017.
2. On 28th February 2015, the officers of NCB visited the factory premises of the Petitioner and seized 38 packets containing powder and liquid. It is the case of the prosecution that these packets contain Tetrahydrocannabinol (THC), which is a psychotropic substance. Thereafter the said company was sealed by Respondent No. 1.
3. The learned counsel for the Petitioner submitted that

on 5th April 2017, the Petitioner had made an application to the Sessions Court at Mangaon for the reliefs which are claimed in the present petition. The grievance of the Petitioner is that this application is not being heard and decided and is pending since 2017.

4. In above circumstances, we are of the considered opinion that this petition can be conveniently disposed of by directing District Judge-1 and Additional Sessions Judge, Mangaon, district : Raigad to dispose of the Petitioner's application for desealing of the premises [copy annexed at Exhibit-D to the petition] as expeditiously as possible and preferably within the period of one month from the date of receipt of a copy of this order. **Ordered accordingly.**

5. In case the Special Court for dealing with cases under NDPS Act is not available at Mangaon, we direct the Principal District Judge, Raigad to assign the aforesaid application to any other Sessions Judge designated as Special Judge for dealing with the cases under NDPS Act.

6. With the aforesaid directions, writ petition is disposed of.

[N. J. JAMADAR, J.]

[RANJIT MORE, J.]