

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**CRIMINAL APPLICATION (BA) NO.562 OF 2020**

(Kishan Shamrao Kharvade Vs. State of Maharashtra thr. PSO PS Deori, Tah. Deori,  
Dist. Gondia)

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*Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.*

*Court's or Judge's orders.*

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Shri C.A. Babrekar, Advocate for Applicant.  
Shri C.A. Lokhande, APP for Non-Applicant/State.

**CORAM: ROHIT B. DEO, J.**

**DATE: 5<sup>th</sup> OCTOBER, 2020.**

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2] Heard.

3] The applicant is facing prosecution for offences punishable under section 20B, 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

4] The applicant approached the court in previous application 786/2019. This Court was about to dismiss the application after hearing the learned counsel for the applicant and at that stage the learned counsel withdrew the application on instruction.

5] Shri Babrekar states that the application is moved in view of the pandemic.

6] The application is absolutely substance-less. Ganja weighing 103.300 Kg. was seized. Even according to the applicant he was in the vehicle which was intercepted and searched. In view of the provisions of section 37 of the Narcotic Drugs and Psychotropic Substances Act, no case is made out for grant of bail, apart from the fact that pandemic cannot be a ground for releasing the applicant who is facing prosecution under the special enactment.

7] The application is dismissed.

**JUDGE**