

Darshan Patil

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

ANTICIPATORY BAIL APPLICATION NO. 3321 OF 2022

Abdul Alim Khalil Shaikh ..Applicant

vs.

1) The State of Maharashtra
2) Union of India ..Respondents

Mr. Rajendra Rathod a/w Ali Bubere and Aamir Roradia for applicant.

Mr. S.V. Gavand, APP for respondent.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 01, 2022

P.C. :

1. This is an application for transit bail filed by the applicant – Abdul Alim Khalil Shaikh, in respect of C.R. No. 43 of 2022, registered at NCB Chandigarh Zone, on 18/06/2022, for the offence punishable under sections 9, 20, 27A, 29 and 60 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereafter 'NDPS', for short).

2. The applicant received notice under section 67(C) of the NDPS Act, 1985 from the office of NCB Chandigarh Zone and has been directed to remain present in the office on

17/11/2022 in respect of the aforesaid criminal case. When the matter was heard, the learned counsel for the applicant submitted that the applicant is now asked to remain present on 02/12/2022. Learned counsel for the applicant submitted that he is willing to remain present but he is apprehending his arrest. He submits that the applicant does not have any details of the crime registered against him and therefore, not in a position to immediately file an application for anticipatory bail before the jurisdictional court in Chandigarh. He requests that he may be protected for some time by granting him transit bail so as to enable him to remain present in the office at NCB Chandigarh Zone.

3. I am afraid, as it is not possible to accede to the request of the applicant for grant of transit bail. The applicant has been directed to remain present in the office of the NCB Chandigarh Zone, therefore, it is always open for the applicant to approach the jurisdictional Court where the offence is registered and seek pre-arrest bail if he apprehends arrest. Further considering that the applicant has received summons for remaining present before the NCB Chandigarh Zone, in respect of the offence registered

under sections 9, 20, 27A, 29 and 60 of the NDPS Act, 1985, I do not think it is appropriate to entertain the present application, more so when the applicant is only directed to remain present. The applicant is always at the liberty to approach the concerned Court for appropriate reliefs.

4. The application is rejected.

(M. S. KARNIK, J.)