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IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO.96 OF 2023

LUCKY SHARMA

... PETITIONER

Versus

UNION OF INDIA (NCB) THE
INTELLIGENCE OFFICER AND ANR

... RESPONDENTS

Mr. P. Naik, Advocate for the petitioner.

Mr. P. Faldessai, Deputy Solicitor General of India for respondent
no.1.

Mr.S. Karpe, Addl. Public Prosecutor for the respondent no.2.

CORAM:- PRAKASH D. NAIK, J.

DATED :- 31st October, 2023

P.C.

This is an application for return of articles i.e Mobile phones. The petitioner is facing prosecution under NDPS Act. Petitioner had moved an application before trial Court which has been rejected vide order dated 1.8.2022.

2. While arguing this application the petitioner has urged several grounds which is neither pleaded in this petition nor urged before the trial Court.

3. In these circumstances, petitioner is permitted to prefer fresh application for return of articles, before the trial Court by urging all the grounds.

4. In the event such application is preferred by the petitioner, the

trial Court is requested to decide the application in accordance with law.

5. Petition is disposed of.

PRAKASH D. NAIK, J.

VINITA VIKAS NAIK Digitally signed by VINITA VIKAS NAIK
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