

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

REVISION APPLICATION (ST) NO. 21430 OF 2023
ALONGWITH
INTERIM APPLICATION NO. 1074 OF 2024
(SERIAL NO. 21)

Dhruv Dalip Tahir

...Applicant

vs.

The State of Maharashtra

...Respondents

Adv. Siya Chaudhry - Advocate for the Applicant
Mr. H. J. Dedhia - APP for the Respondent-State
API Shrikant Karkor- ANC Bandra Unit

CORAM : S. M. MODAK, J.

DATE : 20th MARCH 2024

P. C. :-

1. Heard learned Advocate for the Applicant and learned APP.
2. The Court of the Additional Sessions Judge as per Order dated 04/07/2023 refused to discharge the Applicant for the offence punishable under Sections 8(c) read with 22(b), 27A and 29 of the Narcotic Drugs and Psychotropic Substances Act.
3. In fact in para no. 15, the trial Judge has observed "*at this stage, it can be concluded that the charge of Section 27-A of the NDPS Act is not attracted*" (at page nos. 42-43). This observation was made in the

said order refusing to discharge the applicant.

4. In view of the same, the Applicant again moved for clarification on the aspect that he ought to have been discharged for that offence. However, it was rejected by the trial Court as per Order dated 07/10/2023 for the reason that there is no provision for review. That is why there is delay in filing the revision application.

5. Learned APP opposed the delay condonation application.

6. The reasons mentioned in the application are sufficient. Hence the interim application is allowed in terms of prayer clause 'a'.

7. Interim application is disposed of.

REVISION APPLICATION (ST) NO. 21430 OF 2023

8. Let it be numbered after scrutiny. Learned APP waives notice of the revision application.

9. Matter be kept on **15th April, 2024.**

[S. M. MODAK, J.]