

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.565 OF 2024

Ashok Kumar Verma @ Khanna

.. Applicant

Versus

Union of India and Anr.

.. Respondents

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- Mr. Yash Surendra Pulekar a/w. Ms. Rithika Yerra, Advocates i./by Mr. Anil G. Lalla for Applicant.
- Ms. Aruna Pai, SPP for Respondent No.1 – Union of India.
- Ms. Manisha R. Tidke, APP for Respondent No.2 – State of Maharashtra.

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CORAM : MILIND N. JADHAV, J.

DATE : NOVEMBER 26, 2024

P.C.:

1. Heard Mr. Pulekar, learned Advocate for Applicant; Ms. Pai, learned SPP for Respondent No.1 – Union of India and Ms. Tidke, learned APP for Respondent No.2 – State of Maharashtra.

2. The challenge in the present Revision Application is to rejection of discharge Application by order dated 08.08.2024. It is appended at page No.50 of the Revision Application.

3. Ms. Pai, learned Advocate appears as special Counsel to represent Respondent No.1 – NCB. At the outset, Mr. Pulekar has drawn my attention to the impugned order of rejection of discharge Application and would contend that Revision Applicant is arraigned as Accused No.5 in the crime which is registered by the prosecution. He

would submit that Accused Nos.1 and 2 were apprehended by Officer of Respondent No.1 alongwith contraband – Charas at the incident spot (weighing 6.5 kilograms). Their statement was recorded and Accused Nos.1 and 2 in their statement disclosed that the same was given to them by Accused Nos.3 and 4. Accused Nos.3 and 4 were subsequently arrested and in the statement of Accused No.3, he disclosed that Applicant was supplier of the contraband to them. *Prima facie*, this is gathered on reading the impugned order and seen from the record of the case.

4. Mr. Pulekar would submit that the case would be argued by his senior. He would therefore persuade the Court to hear the matter on merits. Equally, Ms. Pai would also submit that she would like to take appropriate instructions and apprise the Court accordingly.

5. The Revision Application is therefore adjourned to **03rd December, 2024** for hearing.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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