





down due to the ongoing pandemic, and even on 09.08.2021 it is not certain as to whether any witness would actually be examined or not.

In view of the fact that though the quantity of contraband stated to have been recovered from the petitioner (as per the case of the prosecution), is well above commercial quantity and therefore there would be a bar operating on actually admitting the petitioner to bail in terms of Section 37 of the NDPS Act, 1985, yet in the special circumstances arising out of this pandemic which has been ongoing for the past 1½ years now, the petitioner is ordered to be admitted to interim bail upon his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial court, till the next date of hearing before this court, with the trial court to send its report as to the progress of the trial (if any) before that date.

Adjourned to 21.09.2021.

[On specific query put to learned State counsel, he submits that as per his instructions there is no other criminal case registered against the petitioner].”

3. Learned counsel for the petitioner contends that since 20.07.2021, the petitioner is regularly appearing before the trial Court and has never misused the concession of bail. She further contends that only 06 witnesses, out of total 16 witnesses, have been examined so far and the trial is not likely to conclude in near future.

4. On the other hand, learned State counsel has not been able to controvert the submissions made by learned counsel for the petitioner. He however, submits that appropriate directions may be issued to the trial Court to expedite the trial in the present case.



5. I have heard the learned counsel for the parties and perused the record carefully.

6. Keeping in view the submissions made by learned counsel for the parties, the interim order dated 20.07.2021 is made absolute. The petitioner shall be admitted to bail subject to furnishing fresh bail bonds and surety bonds to the satisfaction of the concerned trial Court. The petitioner shall continue to appear before the trial Court on each and every date of hearing and shall not remain absent during trial, without prior permission of the trial Court. In case, the petitioner does not appear before the trial Court on any date of hearing, it shall be viewed seriously and necessary consequences shall follow.

24.07.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No