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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 2075/2024**

DHARMINDER SINGH BHATIA

.....Petitioner

Through: Mr. Sidak Kalra and Mr. Ankit Batra,
Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Yasir Rauf Ansari, ASC for the
State with Mr. Alok Sharma, Mr.
Vasu Agarwal and SI Dheerendra
Kumar, P.S.: Special Cell, Lodhi
Colony.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

11.07.2024

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CRL.M.A. 20075/2024

Exemption allowed, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

W.P.(CRL) 2075/2024

By way of the present petition filed under Articles 226 and 227 of the Constitution of India, the petitioner, who is an accused in case bearing SC No. 8666/2016 titled *State vs. Mohd. Asker Ahmed & Ors.*, pending before the learned Special Judge, NDPS, Patiala House Courts, Delhi, seeks a direction for expeditious hearing and disposal of an application preferred by him seeking discharge in the matter, which, according to the petitioner, has been pending since 15.10.2022.



2. Mr. Sidak Kalra, learned counsel appearing for the petitioner submits, that as is seen from order dated 22.04.2024, the learned Special Judge has deferred arguments on charge on the submission of the learned APP that the question of law regarding notification of 'pseudoephedrine' is pending before a Co-ordinate Bench of this court in connected matters bearing Crl. Rev. P. No. 70/2016 and Crl. Rev. P. No. 132/2016; and that the decision in the said cases be awaited.
3. Mr. Kalra submits that the petitioner's case for discharge in the matter is premised on *other basis* and the reason cited by the learned APP ought not to be cause for delay in considering the petitioner's discharge application.
4. Issue notice.
5. Mr. Yasir Rauf Ansari, learned ASC (Criminal) appears on behalf of the State on advance copy; accepts notice; and submits on instructions, that if the petitioner is willing to confine his arguments on discharge on grounds *other than* the notification of the aforesaid controlled substance that is pending consideration before a Co-ordinate Bench, the State has no objection to proceeding with arguments on the discharge application.
6. The next date before the learned Special Judge is stated to be 26.07.2024.
7. In the circumstances, the present petition is disposed-of, requesting the learned Special Judge, NDPS, Patiala House Courts, Delhi, to take-up the petitioner's application for discharge and dispose of the same, at the earliest convenience.
8. Petition stands disposed-of.



9. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JULY 11, 2024

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