



Sonam

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.3 OF 2023

UNION OF INDIA NARCOTICS CONTROL
BUREAU THR. INTELLIGENCE OFFICER
VIVEK KUMAR PANDEY

... PETITIONER

Versus

SANI KUMAR

... RESPONDENT

Mr. Pravin Faldessai, Deputy Solicitor General of India for the
Petitioner.

Mr. Kautuk Raikar with Ms. Aditi Salkar, Advocates for the
Respondent.

CORAM:- VALMIKI MENEZES, J.

DATED :- 28th January, 2025

P.C.:

1. This is an application for cancellation of the bail granted to the Respondent by order dated 29.01.2022, passed by the Additional Sessions Judge, Panaji. This is otherwise not a case where the cancellation is sought on the basis that the Accused, in any manner, has breached the conditions of the bail. The only ground for cancellation of bail is on grounds that the discretion exercised by the Sessions Court is improperly exercised and is not in accordance with the provisions of the NDPS Act.

2. On going through the order of bail granted by the Sessions Court,

it appears that all the parameters for deciding whether the Accused is entitled to a grant of bail under NDPS Act have been adhered to. The Accused is charged with possession of 1.2 Kilograms of Ganja, which is otherwise termed as a variable quantity. Under these circumstances, the discretion of the Sessions Court in granting bail has been correctly exercised. There is no infirmity that can be found with the order granted for the bail. Consequently, there is no scope for the interference in the impugned order.

3. The petition stands rejected and accordingly disposed of.

VALMIKI MENEZES, J.