

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.4758 OF 2024

Sherali Hafiz Khan

.. Applicant

Versus

State of Maharashtra

.. Respondent

.....

- Mr. Ajay Bhise a/w. Mr. Tarsemsing Gabbi, Advocates for Applicant.
- Ms. Megha S. Bajoria, APP for Respondent – State of Maharashtra.

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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 07, 2025

P.C.:

- 1.** Mentioned out of turn.
- 2.** Heard Mr. Bhise, learned Advocate for Applicant and Ms. Bajoria, learned APP for Respondent -
- 3.** It is case of Applicant that seizure of contraband is on 24.03.2024 whereas samples have been drawn on 23.07.2024 and till date report has not come. The contraband is Mephedrone. That apart violation of Section 52 of the Narcotics and Psychotropic Substances Act, 1985 (for short '**NDPS**') and Section 50 of Code of Criminal Procedure, 1973 is also pleaded.
- 4.** Be that as it may, once samples are drawn under Rule 14 of NDPS Rules, 2022 the report produced ought to be produced within 15 days and if the same is not produced, the leave of Magistrate is required to be obtained alongwith giving reasons as stated in the said

Rule.

5. Mr. Bhise would submit that for more than 7 months report has not been received Ms. Bajoria is directed to take appropriate instructions from the Investigating Officer and apprise the Court the reasons on the next adjourned date for considering this Application.

6. Stand over to **21st January, 2025.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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