



Esha

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 69 OF 2026

**UNION OF INDIA, THR. VIVEK
KUMAR PANDEY**

... PETITIONER

~ VERSUS ~

SUNDAY ONYE LUCKY

... RESPONDENT

APPEARANCES:

for the Petitioner

***Mr. Pravin Faldessai, Deputy Solicitor
General of India with Ms. Swizel Falcao***

CORAM : AMIT S. JAMSANDEKAR, J.

DATED : 9th APRIL 2026

P.C:

1. Registry to waive all the office objections, if any, and register the matter.
2. Heard Mr. Faldessai, learned Deputy Solicitor General of India on behalf of the Petitioner.

3. My attention is drawn to paragraph 36 of the impugned order dated 02.06.2023, which reads as follows:

“36. If the facts of the present case are considered as discussed above, there is neither a CFSL Report nor a Field Testing Report to attract the rigors of Section 37 of the NDPS Act and thus prima facie, it has come on record that there are reasonable grounds for believing that the applicant is not guilty of such offence or that he is likely to commit any offence while on bail. Failure on the part of the Investigating Officer to place on record the CFSL report or the Field Testing Report conducted at the time of the seizure and considering the liberty of the applicant, he is entitled for bail. However, considering that the applicant is released on bail on the ground of the non-production of the CFSL report or the Field Testing Report, opportunity needs to be kept open to the investigating officer to take appropriate steps upon receipt of the CFSL report.”

4. Mr. Faldessai has informed that after the impugned order, the Prosecution has placed on record the CFSL Report and the Trial Court has cancelled the bail granted to the Respondent.
5. In view thereof, nothing survives in the present Petition and the same stands disposed of.

6. This order will be digitally signed by the Private Secretary/
Personal Assistant of this Court. All concerned will act on
production by fax or email of a digitally signed copy of this
order.

[AMIT S. JAMSANDEKAR, J.]