

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION



CRIMINAL APPEAL NO(S). _____ OF 2023
(ARISING OUT OF S.L.P. (CRIMINAL) NO(S).12566/2023)

SURENDER KUMAR

APPELLANT(S)

VERSUS

CENTRAL BUREAU OF NARCOTICS

RESPONDENT(S)

O R D E R

Heard the learned counsel appearing for the appellant and the learned ASG for the respondent.

Leave granted.

The appellant was arrested on 16th October, 2019. The charge was framed on 24th October, 2021. Out of 68 prosecution witnesses, so far, only 01 prosecution witness has been examined. There is no possibility of the trial getting concluded in the near future. The appellant has undergone incarceration for a period of more than 04 years. Moreover, there are no antecedents of the appellant reported.

Hence, the appellant deserves to be enlarged on bail, pending the trial. For that purpose, we direct that the appellant shall be produced before the Special Court within a period of one week from today. The Special Court shall enlarge the appellant on bail on appropriate terms and conditions, till the disposal of the case. The respondent shall be heard before fixing the terms and conditions.

The Appeal is accordingly allowed.

.....J.
(ABHAY S.OKA)

.....J.
(PANKAJ MITHAL)

NEW DELHI;
NOVEMBER 28, 2023.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 12566/2023
(Arising out of impugned final judgment and order dated 22-08-2023 in BA No. 1212/2023 passed by the High Court of Delhi at New Delhi)

SURENDER KUMAR

Petitioner(s)

VERSUS

CENTRAL BUREAU OF NARCOTICS

Respondent(s)

Date : 28-11-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Petitioner(s) Mr. Aditya Agarwal, Adv.
Mr. Shakeel Ahmed, AOR
Mr. Manas Agarwal, Adv.
Mr. Ahmad Parvez, Adv.
Mr. Vikramjeet Singh Ranga, Adv.

For Respondent(s) Ms. Aishwarya Bhati, ASG
Ms. Swarupama Chaturvedi, Adv.
Ms. Chitrangda Rastaravara, Adv.
Kritagya Kumar Kait, Adv.
Ms. Saumya Tandon, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The Appeal is allowed in terms of the signed order. The operative portion of the order reads thus:

"Hence, the appellant deserves to be enlarged on bail, pending the trial. For that purpose, we direct that the appellant shall be produced before the Special Court within a period of one week from today. The Special Court shall enlarge the appellant on bail on appropriate terms and conditions, till the disposal of the case. The respondent shall be heard before fixing the terms and conditions.

The Appeal is accordingly allowed."

Pending application(s), if any, shall stand disposed of accordingly.

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)

[THE SIGNED ORDER IS PLACED ON THE FILE]