

SC 791/2019
STATE Vs. NARENDER GOYAL ETC.
FIR NO. 127/2019
PS Crime Branch -N.W.Delhi

27.02.2020

Pr: Ms. Kiran Bala, Ld. Substitute Addl. PP for the State.

Accused Narender Goyal is produced from JC.

Accused Javed is present on bail.

Accused Parvesh is absent.

Sh. Kundan Kumar, Ld. Counsel for accused persons.

An application for exemption from personal appearance has been moved on behalf of accused Parvesh. Heard. Allowed for today only.

An application for bail of accused Narender Goyal is also pending for today.

Reply has been filed.

It is argued by Ld. Counsel for applicant/accused Narender Goyal that only 5 gm sample has been taken and as per FSL report 0.16% contraband i.e. Diacetylmorphine has been found and he is not required for further investigation and hence he is entitled to be released on bail. Ld. Counsel further relied upon judgment of Hon'ble High Court of Delhi in WP(CRL) 338/2012 & CRL. M.A. 2824/2012 , titled as Minnie Khadim Ali Kuhn Vs. State NCT of Delhi & Ors.

Per contra, Ld. Addl. PP for the State has opposed this application.

Applicant/accused is in JC since 17.05.2019 and the total recovery of heroin is 300 gm and only .48 gm contraband was found as per the FSL result which comes under small quantity. No fruitful purpose would be served by keeping the applicant/accused in JC. In

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totality of the facts and circumstances, the application is allowed. The applicant/accused Narender Goyal is admitted to bail on furnishing personal bond in the sum of Rs.20,000/- with one surety of like amount, subject to the following conditions :-

In the facts and circumstances applicant/accused is admitted to bail on the following terms and conditions:-

1. As and when required, IO shall serve notice upon applicant/accused and he will join the investigation.
2. Applicant/accused shall not intimidate or influence the prosecution witnesses nor would tamper with the prosecution evidence.
3. Applicant/accused will not leave India without prior permission of the court.

This application stands disposed of accordingly.

Put up for consideration on charge on 28.04.2020.

(Rakesh Kumar-IV)
ASJ-02-cum-Special Judge,
(NDPS), North West
Rohini:Delhi/27.02.2020