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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.A. 1175/2019

JOSEPH ONYEKACHUKWA NWAYIBO

..... Appellant

Through : Mr.Jagman Singh Kushwaha,
Advocate.

versus

DIRECTORATE OF REVENUE INTELLIGENCE Respondent

Through : Mr.Satish Aggarwala, Advocate.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **22.06.2020**

1. The hearing has been conducted through Video Conferencing.

Crl.M.(Bail)7468/2020

2. This is an application for suspension of sentence and grant of bail till the disposal of the appeal. The applicant has been sentenced to ten years RI with fine of Rs.1.00 lac under Section 21(c) of the NDPS Act and has already completed more than half of the sentence, hence be released on bail.

3. The learned counsel for respondent controverted the submission of the learned counsel for applicant and urges **a)** there is a recovery of 7.966 kgs. of heroine/ morphine; **b)** the applicant is a foreign national; and **c)** the bar under Section 37 of the NDPS Act would operate, hence he is not entitled to grant of bail.

4. Issue notice. The learned counsel for the respondent is present and accepts the notice and seeks to file status report.

5. As sought, status report/reply be filed by the respondent within two weeks from today with an advance copy to the learned counsel for the applicant through email. The counsel for the petitioner has

relied upon an order passed by this Court in Bail Application 191/2020. The copy of said order be also filed prior to the next date of hearing.

6. List on 24.07.2020.

YOGESH KHANNA, J.

JUNE 22, 2020

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