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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.A. 495/2015**

EDWIN NDUBUSI

.....Appellant

Through: Mr. J.S. Kushwaha and Ms. Tanya
Kushwaha, Advs.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Ms. Kiran Bairwa, APP for the State
with SI Ram Kishan, ANTF Crime
Branch Delhi.

CORAM:

HON'BLE MR. JUSTICE VIMAL KUMAR YADAV

ORDER

% **14.01.2026**

CRL.M.A. 1226/2026 (Exemption)

1. Allowed subject to all just exceptions.
2. Application stands disposed of.

CRL.M.A. 1225/2026 (early hearing)

3. Hybrid Mode.
4. Issue notice.
5. Learned APP/Respondent accepts notice of the application CRL.M.A. 1225/2026 and not only that it is submitted that no formal reply is required to be filed on behalf of the Respondent in this situation.
6. Learned counsel for the Appellant submits that the Appellant was sentenced to undergo Rigorous Imprisonment under Section 21 (c) of NDPS Act, for a period of 10 years and to pay a sum of Rs. 1,00,000/- as fine, and



in default of payment of fine to undergo Rigorous Imprisonment of 05 months, out of which he has already completed 09 years 04 months and he is out on bail from the last 05 years awaiting the turn of his appeal.

7. Now that his mother, who is about 90 years of age and seriously indisposed, he wants that his appeal should be heard on priority, so that he may, irrespective of the outcome of the appeal as even in case, the verdict goes against him, he still would be in a position to undergo the remaining period of about 08 months or so and thereafter, he would be free go back to his native country.

8. Having considered the contents of the application and submissions made, and in view of the peculiar facts the Appellant being a foreign national in dire straits in this country, having no support except from his countrymen, therefore, the application is allowed and the matter be taken up for final hearing on 16.03.2026.

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9. As prayed by learned counsel for the Appellant, soft copy of the Trial Court Record be provided to him by the Registry.

10. List on 16.03.2026.

VIMAL KUMAR YADAV, J

JANUARY 14, 2026/PS