

ITEM NO.4

COURT NO.2

SECTION II-C

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 48232/2023

(Arising out of impugned final judgment and order dated 16-01-2023 in BA No. 105/2023 passed by the High Court of Delhi at New Delhi)

SHARIK KHAN

Petitioner(s)

VERSUS

NARCOTICS CONTROL BUREAU

Respondent(s)

(FOR ADMISSION and I.R. and IA No.54174/2024-CONDONATION OF DELAY IN FILING and IA No.54176/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.54177/2024-EXEMPTION FROM FILING O.T. and IA No.54175/2024-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 06-03-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s) Dr. I M Quddusi, Sr. Adv.
Mr. Jabar Singh, Adv.
Ms. Kanti Tiwari, Adv.
Mr. Shubham, Adv.
Mr. Nisha Kant Ojha, Adv.
Mr. Jazib Siddiqui, Adv.
Mr. Vaibhav Sharma, Adv.
Mr. Vatsal Parewa, Adv.
M/S. V. Maheshwari & Co., AOR

For Respondent(s)

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

There is delay of 219 days in filing the present special leave petition against an order dismissing the application for anticipatory bail. We are not satisfied with the explanation given for condonation of delay. Even on merits, we are not inclined to

issue notice in the present special leave petition.

Accordingly, the application for condonation of delay and consequently the Special Leave Petition are dismissed.

We have gone through the complaint, enclosed as annexure P-5. The complaint refers to the statements recorded under Section 67 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short "NDPS Act"), and it is stated that the same are admissible evidence. However, we clarify that the authorities/officers of the Narcotics Control Bureau must comply and abide by the judgment of this Court in *"Toofan Singh vs. State of Tamil Nadu"*¹.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR