

BDP-SPS-TAC

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3624 OF 2021**

ARYAN SHAH RUKH KHANApplicant.
V/s
THE UNION OF INDIA & ANR.Respondents

**WITH
INTERIM APPLICATION NO. 2606 OF 2021
IN
CRIMINAL BAIL APPLICATION NO. 3624 OF 2021**

PRAKASH RAMANLAL VAKHARIYA Intervener

IN THE MATTER BETWEEN

ARYAN SHAH RUKH KHANApplicant.
V/s
THE UNION OF INDIA & ANR.Respondents

**WITH
INTERIM APPLICATION NO. 2605 OF 2021
IN
CRIMINAL BAIL APPLICATION NO. 3624 OF 2021**

SAURABH RAMESHCHANDRA MISHRAIntervener

IN THE MATTER BETWEEN

ARYAN SHAH RUKH KHANApplicant.
V/s
THE UNION OF INDIA & ANR.Respondents

**WITH
CRIMINAL BAIL APPLICATION NO.3625 OF 2021**

MUNMUN AMIT KUMAR DHAMECHA Applicant.
V/s
THE UNION OF INDIA AND ANR Respondents

**WITH
CRIMINAL BAIL APPLICATION NO.3642 OF 2021**

ARBAAZ A. MERCHANT Applicant.
V/s
THE UNION OF INDIA AND ANR Respondents

Sr. Counsel Mr. Mukul Rohatgi a/w Senior Counsel Mr. Amit Desai, @ Mr. Satish Maneshinde @ Mr. Rustam N. Mulla @Ms. Anandini Fernandes @Ms. Ruby Singh Ahuja @Mr. Sandeep Kapur @Mr. Gopalakrishna Shenoy, @Mr. Harshad Gada @ Ms. Namita Maneshinde @Mr. Sohan Kinkhabwala @ Mr. Nikhil Maneshinde, @ Mr. Deepal Thakkar @Mr. Yuvraj Dhole @ Shanice Mansukhani i/by Ms. Anandini Fernandes, Advocates for Applicant in **BA/3624/2021**.

Mr. Ali Kaashif Khan Deshmukh @ Mr. Ravi P. Singh @ Mr. Harsh G. Sheth @ Ms. Riya Jain @ Ms. Halima Khan, Advocates for Applicant in **BA/3625/2021**.

Senior Adv. Amit Desai i/by Adv. Taraq Sayed @ Mr. Gopalkrishna Shenoy @ Mr. Advait Tamhankar @ Ms. Lochan Chandka @ Ms. Alisha Parekh @ Ms. Ashwini Achari @ Ms. Bhumika Gada @ Mr. Sachin Shete, Advocates for Applicant in **BA/3642/2021**.

Additional Solicitor General Mr. Anil C. Singh @ Adv. Mr. Advait M. Sethna @ Mr. Shreeram Shirsat, @ Mr. Aditya Thakkar, @ Mr. Pranav Thakur @ Ms. Smita Thakur @ Mr. Amandeep Singh Sra, @ Miss Ruju Thakker @ Mr. Pranav Gohil and Mr. Tanay Mandot **for Respondent/NCB in all the above BAIL APPLICATIONS.**

None for the Interveners.

CORAM: NITIN W. SAMBRE, J.

DATE: OCTOBER 28, 2021

P. C.:-

For the reasons separately recorded, following order is passed:-

ORDER

Applicants viz Accused No.1 – Aryan Shah Rukh Khan, Accused No.2 – Arbaaz A. Merchant & Accused No.3 – Munmun Amit Kumar Dhamecha are directed to be released on bail in C.R. No.94 of 2021 registered with the non-applicant for the offence punishable under the NDPS Act, 1985 on the following conditions:-

(a) Each of the Applicants/Accused shall execute P. R. Bond of Rs. 1 lakh with one or more sureties in the like amount.

(b) Applicants/Accused shall not indulge in any activity similar to the activities on the basis of which the said CR stands registered against them for offences under the NDPS Act.

(c) Applicants/Accused shall not try to establish communication with co-accused or any other person involved directly or indirectly in similar activities or make any call to any person indulging in similar activities as alleged against them, through any mode of

communication.

(d) Applicants/Accused shall not undertake any action which is prejudicial to the proceedings before the Hon'ble Special Court (established under the NDPS Act)

(e) Applicants/Accused neither personally or through anyone make any attempt to influence witnesses nor tamper with the evidence.

(f) Applicants/Accused shall surrender their passport before the Special Court immediately.

(g) Applicants/Accused shall not make any statement regarding the aforesaid proceedings pending before the Special Court in any form of media i.e. print media, electronic media etc. including social media.

(h) Applicants/Accused shall not leave the country without prior permission from the Special Judge for NDPS at Greater Mumbai.

(i) If the Applicants/Accused have to go out of Greater Mumbai, they shall inform the Investigating Officer; and shall give their itinerary to the Investigating Officer.

(j) Applicants/Accused shall attend the NCB Mumbai office on each Friday between 11:00 a.m. to 2:00 p.m. to mark their presence.

(k) Applicants/Accused shall attend all the dates in the Court unless prevented by any reasonable cause.

(l) Applicants/Accused shall join the investigation as and when called upon to do so before the authorities of NCB.

(m) Once the trial begins, the Applicants/Accused shall not in any manner try to delay the trial.

(n) If the Applicants/Accused violate any of these terms, NCB shall be entitled to straightaway apply to the Special Judge/Court for cancellation of their bail.

All these Applications are accordingly allowed and disposed of. As a consequence, all pending Interim Applications taken out therein are also disposed of.

(NITIN W. SAMBRE, J.)