

ITEM NO.29 Court 1 (Video Conferencing)

SECTION II-C

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (Cr1.) No(s).8164-8166/2021

(Arising out of impugned final judgment and order dated 03-11-2020 in CRLREVP No.1219/2019, CRLREVP No.1220/2019 and CRLREVP No.1222/2019 passed by the High Court of Delhi at New Delhi)

MOHD. ARBAZ &amp; ORS.

Petitioner(s)

VERSUS

STATE OF NCT OF DELHI

Respondent(s)

([TO BE TAKEN UP ALONGWITH SLP(CRL)NO. 5703/2021 ]  
WITH

SLP(Cr1) No. 8574/2021 (II-B)

(FOR ADMISSION and I.R.)

SLP(Cr1) No. 8718/2021 (II-B)

(FOR ADMISSION and IA No.147020/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(Cr1) Nos. 8496-8497/2021 (II-B)

(FOR ADMISSION and I.R. and IA No.143228/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.143229/2021-EXEMPTION FROM FILING O.T.)

Date : 11-12-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. M.L. Saggar, Sr.Adv.  
Mr. Sunny Saggar, Adv.  
Ms. Armaan Saggar, Adv.  
Mr. Aditya Sanghi, Adv.  
Mrs. Tanuj Bagga Sharma, AOR

Mr. Sriram P., AOR

Mr. Prateek Som, Adv.  
Dr. Monika Gusain, AOR

Mr. Rudro Chatterjee, Adv.  
Mr. Shariq Nisar, Adv.  
Mr. Yashovardhan Oza, Adv.  
Mr. Anas Tanwir, AOR

For Respondent(s) Mr. Aman Lekhi, ASG  
Mr. Anmol Chandan, Adv.  
Ms. Swarupma Chaturvedi, Adv.

Mr. Ritwiz Rishabh, Adv.  
Mr. Ujjwal Sinha, Adv.  
Mr. Aniket, Adv.  
Mr. Gurmeet Singh Makker, AOR

Mr. Neeraj, AAG  
Mr. Ankit Raj, Adv.  
Mr. Vedansh Anand, Adv.  
Dr. Monika Gusain, AOR

Mr. G.Prakash, Adv.  
Ms. Priyanka Prakash, Adv.  
Ms. Beena Prakash, Adv.  
Mr. Anoop R., Adv.

Mr. Nishe Rajen Shonker, Adv.  
Ms. Anu K Joy, Adv.  
Mr. Alim Anvar, Adv.

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

The Court is convened through Video Conferencing.

SLP(Cr1.)Nos.8164-8166/2021

Heard learned counsel for the parties.

List on 13.12.2021.

To be taken up after admission matters.

SLP(Cr1) No.8574/2021

Heard learned counsel for the petitioner and carefully perused the material placed on record.

Although the petitioner - State of Haryana has challenged the impugned order affirming the order passed by the Sessions Court granting default bail to the respondent in terms of Section 167 (2) Cr.P.C. due to the failure of the prosecution in filing the FSL report with the challan under Section 173(2) Cr.P.C. yet taking into consideration the fact that the smack found in the possession of the respondent was small quantities of 15 gm 100 mg and more particularly the fact that the respondent has suffered incarceration for a period of three months, we are not inclined to interfere with the impugned order passed by the High Court.

The special leave petition is, accordingly, dismissed.

The question of law is left open.

**SLP(Cr1) No. 8718/2021**

Heard learned counsel for the parties.

List on 13.12.2021.

To be taken up after admission matters.

**SLP(Cr1) Nos.8496-8497/2021**

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To be taken up after admission matters.

**(SATISH KUMAR YADAV)**  
**DEPUTY REGISTRAR**

**(R.S. NARAYANAN)**  
**COURT MASTER (NSH)**

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