

News

Supreme Court grants bail to NDPS accused after noting delay in sending samples to forensic lab

The accused have been detained for more than two years, the court added, and the majority of the relevant witnesses have been questioned.

The Supreme Court recently granted bail to two accused booked under the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act) after noting the unexplained delay of sending the contraband samples to Forensic Science Laboratory (FSL) [Wajid Ali @Tinku vs State of Rajasthan].

A Bench of Justice Pankaj Mithal and Justice SVN Bhatti took note of the fact that the accused have been in custody of over two years and there was an unexplained delay of 21 days in sending samples to FSL.

“Accordingly, we direct that the petitioners be released on bail subject to the terms and conditions,” the Court said in its order passed on February 9.

The petitioners had filed a case contesting a Rajasthan High Court judgment, which the court was considering.

The case started when a First Information Report (FIR) was filed at the Mandawar police station in Rajasthan's Jhalawar district. The petitioners were arrested on March 28, 2023.

During the hearing, the Court was told by counsel for the petitioners that the accused had been in custody for over two years and ten months and that the delay in sending the samples to the FSL remained unexplained.

The Bench also recorded that most of the material witnesses in the trial have been examined.

Taking note of this, the Court ordered the release of the petitioners subject to conditions to be fixed by the trial court.

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