

Vidyawati Vs. State

Vidyawati Vs. State

SooperKanoon Citation : sooperkanoon.com/693090

Court : Delhi

Decided On : May-18-1993

Reported in : 51(1993)DLT181

Judge : R.L. Gupta, J.

Acts : [Code of Criminal Procedure \(CrPC\) , 1973](#) - Sections 439

Appeal No. : Criminal Miscellaneous (Main) Appeal No. 2654 of 1992

Appellant : Vidyawati

Respondent : State

Advocate for Pet/Ap. : Rakesh Sherawat and; O.P. Faizi, Advs

Judgement :

R.L. Gupta, J.

(1) The petitioner is facing prosecution for recovery of 450 gm. of Charas on 15.5.1991. She applies for grant of bail.

(2) I have heard the arguments advanced by the learned Counsel for the parties. Learned Counsel for the Petitioner has drawn my attention to the averments made in the Rukka by the Investigating Officer which shows that the petitioner was given option only of being searched in the presence of a Gazetted Officer. It is

contended that it amounted to giving a partial option and thus the option given was not valid as per Section 50 of NDPS Act.

(3) Without expressing any final opinion in this respect, the petitioners granted bail on furnishing a personal bond of Rs. 7,000.00 with a surety of the like amount to the satisfaction of the Court concerned. Copy of this order be forwarded to the Superintendent (Jail) as well as the Court concerned.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com