

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s).44721/2025

[Arising out of impugned final judgment and order dated 05-05-2025 in CRBA No.4139/2024 passed by the High Court of Judicature at Bombay]

UNION OF INDIA

PETITIONER(S)

VERSUS

CHIDIEBERE KINGSLEY NAWCHARA & ANR.

RESPONDENT(S)

IA No. 215580/2025 - CONDONATION OF DELAY IN FILING

Date : 08-09-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KAROL

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :

Mr. S Dwarakanath, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Nisha Bagchi, Sr. Adv.
Mr. Abhyudey Kabra, Adv.
Mr. Padmesh Mishra, Adv.
Mr. Bhuvan Kapoor, Adv.
Ms. Munisha Anand, Adv.
Mr. Abhisek Ray, Adv.

For Respondent(s) :

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

1. Petitioner challenges the judgment and order dated 05.05.2025 in Criminal Bail Application No.4139/2024 passed by the High Court of Judicature at Bombay, titled "*Chidiebere Kingsley Nawchara vs. Union of India & Anr.*".
2. Delay condoned.
3. Mr. S Dwarakanath, learned Additional Solicitor General appearing for the petitioner, submits that in relation to

the very same nature of crime, respondent no.1 was previously convicted, and the appeal against that conviction is still pending consideration before the High Court, even though the sentence imposed in that case was suspended. It is only thereafter, the petitioner committed another crime of the very same nature. We notice that the contraband allegedly recovered from the main accused is of a huge quantity, i.e., 4935 grams of heroin. Based on the statement of the main accused, respondent no.1 was arrested, and as per the investigation conducted by the Investigating Officer, the involvement of respondent no.1 cannot be ruled out.

4. We notice that none of these aspects have been considered by the High Court.

5. Issue notice, returnable on 19.09.2025.

6. Dasti service, in addition, is permitted. Let steps for service be taken within two weeks.

7. In the notice itself let it be mentioned that the respondents are required to file the counter affidavit and reply to the interlocutory application(s), if any, before the next date of listing.

(D. NAVEEN)
COURT MASTER (SH)

(ANU BHALLA)
COURT MASTER (NSH)