

Case No. Special (NDPS) 33 of 2023.

Judicial Form No. 7(R)

Form of Recording Deposition

In the Court of : Special Judge,(NDPS), North Tripura District,
Dharmanagar.

Present : Sri A. Debbarma.

Case No. : Special (NDPS) 33 of 2023.

Deposition of witness No. PW 3 for the prosecution recorded on oath or solemn affirmation under provision of OATHS ACT, 1969 (Act, 44 of 1969) on this 09-12-2025 in the English Language interpreted by the court.

Name:- Sri Himangshu Das, age:- 46 years, son of Sri Haripada Das,
Occupation:- Constable of Police, Bagbassa PS.

Examination-in-chief

On 19-05-2022 I was posted as constable of police with Churaibari PS. On that date at about 11.30 hours myself along with other staff were performing vehicle checking duty under SI, Ajit Kanti Chakma at Churaibari Naka gate. In course of that we gave signal to one LPG truck bearing No. NL-02L-3925 to stop. The driver on seeing us left the vehicle on the road and tried to escape but we managed to detain him. During interrogation he disclosed his name as Samarjit Debbarma. He was looking nervous and he stated that there is ganja under the seat of the driver of that vehicle. SI, Ajit Kanti Chakma immediately communicated the information to the OC of the PS. The information was also communicated to the SDPO, Dharmanagar from the PS. The SDPO, Dharmanagar came at the PO after some time and gave search authorization to SI, Ajit Kanti Chakma. Thereafter we searched the vehicle and found 12 packets under the seat of the driver and inside those packets we found 130 kg of ganja. SI, Ajit Kanti Chakma seized those ganja along with the vehicle and I have signed on the seizure list. Witness has identified his signature on the seizure list and it is marked as Exhibit-4/1. SI, Ajit Kanti Chakma also issued notice to the driver and I along with Apu

Case No. Special (NDPS) 33 of 2023.

Das signed on it as witnesses. Witness has identified his signature and it is marked as Exhibit-3/1. It is not possible on my part to identify the accused at this stage.

Cross-examination

I have given my statement to the IO. I have stated to the IO that we were performing duty at 11.30 am. Ld. Defence counsel has drawn attention of the witness to his statement recorded by the IO and the witness stated that the time 11.30 am is not there.

It is not a fact that we were not performing duty at 11.30 am and I have stated this particular fact for the first time before this court.

A register is maintained during checking of the vehicle and the details of the vehicle is entered by a constable in the register. I cannot say whether any checking register was maintained on the date and time of the incident. It takes around one minute to reach the Naka gate from Churaibari PS. We returned back to the PS from the PO at about 2 pm.

It is not a fact that on 19-05-2022 at 11.30 hours in course of vehicle checking duty at Churaibari Naka gate we did not detain the LPG truck bearing No. NL-02L-3925 and the driver Samarjit Debbarma during interrogation did not disclose that there was ganja in that vehicle and that information was not communicated to the OC of the PS and to the SDPO, Dharmanagar and the SDPO, Dharmanagar did not come to the PO and did not give authorization to search and during search we did not recover 12 packets kept under the seat of the driver containing 130 kg of ganja.

I have stated to the IO that 130 kg of ganja were recovered.

Ld. Defence counsel has drawn attention of the witness to his statement recorded by the IO and the witness stated that the quantity 130 kg is not there.

It is not a fact that SI, Ajit Kanti Chakma along with myself and other staff subsequently prepared the seizure list and other

Case No. Special (NDPS) 33 of 2023.

documents and falsely implicated the accused in this case and that I was not present at the PO on the date and time of the incident.

As dictated.