

**IN THE COURT OF ASJ/SPECIAL JUDGE/NDPS
PATIALA HOUSE COURTS, NEW DELHI**

Presided by: Sudhir Kumar Sirohi, DHJS

SC No. 47/2022

NCB Vs. Sarvothaman Guhan & Ors.

26.03.2025

ORDER ON CHARGE

Present: Sh P C Aggarwal, Ld. SPP for NCB
IO of the case Mr. Chetan Sharma (through VC).
Mr. Chinmay Dubey and Mr. Tushar Sharma, Ld.
counsels for accused Dixita Golwala.
Mr. Anant Gupta, ld. counsel for accused Jasbir and
Sarvothaman Singh.
Mr. Rakesh Raushan, Ms. Sangeeta, Ld. counsel for
accused Raghunath.
Mr. Kunal Narwal and Ms. Disha Ray, Ld.
counsels for accused Krunal.
Mr. Rajeev Ranjan, Mr. Rishikesh Kumar and Mr.
Gunjan Kumar, Ld. counsel for accused Aslam.
Accused persons namely Md. Aslam, Naman
Sharma, Aditya Reddy, Dixita Golwala, Devesh
Vasa, Shradha Surana, Aashray Pandey, Jasbir
Singh, Parichay Arora, Sarvothaman Guhan @
Sarvo and Krunal Golwala on bail through VC.
Accused Rahul Mishra and Vishal Chaturvedi
are on bail in person.
Accused Suvashish Roy produced from JC.
Accused Raghunath Kumar not produced from
Kolkata jail through VC.

Written submissions as per order dated 19.03.2025
has been filed against accused Raghunath and Aditya Reddy.
Same be taken on record.

Brief facts of the case, as per reply filed are that on
04.08.2021, on the basis of information shared by NCB, Kolkata

Zonal Unit, Kolkata, a person named Guhan Sarvothaman S/o Guhan R. Guhan of Delhi was intercepted at IGI Airport and was Questioned/Examined about the case registered at NCB, KZU, Kolkata. On conducting the search of his bag 30 grams of Ganja and 0.45 grams of Ecstasy was recovered. During investigation, he revealed about his friend namely Rahul Mishra and also informed about his address and possibility of recovery of contraband and accordingly on his information, a raid was conducted in his house at Faridabad and further recovery of 1.05 kgs. of Ganja was made. Later, the search conducted at the residence of accused Guhan Sarvothaman at Greater Noida resulted in recovery of 1 kg of Ganja and INR Rs 15.5 lakhs. The accused Guhan Sarvothaman further disclosed about accused Aashray Pandey and accordingly, he was intercepted at Ambience Mall Gurgaon with a parcel and recovery of 410 grams of Ganja was recovered from his possession. The accused Guhan Sarvothaman also disclosed about one person namely Ms. Tareena Bhatnagar that she had promised him to get high quality of ganja. For this, Guhan disclosed that he paid Rs. 6 Lakhs to accused Jasbir then accused Jasbir Singh was arrested. The accused Ms. Shradha Surana and accused Naman Sharma were also arrested in this case on the disclosure of the accused Jasbir Singh.

On the disclosure of Jasbir and Shradha various Narcotics drugs and Psychotropic Substance such as 1. 250 Kg of High Quality Ganja, 16 Grams Ecstasy Pills (MDMA), 6 Grams of Heroin, 40 Grams of Charas and 130 Grams of Suspected Psychotropic substance in form of different coloured little pills from the house of Suvashish Roy at Flat No. E-1903,

Supertech Livingston apartment located at Crossing Republic Grater Noida West Distt. Ghaziabad and a recovery of 39.700 gram concentrate of cannabis and 2.530 grams liquid of cannabis from a parcel at Foreign Post Office, Kolkata. Accused namely Suvashish Roy @ Jesse Roy was arrested on 10.9.2021. During investigation it further came to light that one Raghunath Kumar, S/o Guddu Thakur @ Kundan Kumar Thakur is also involved in the present case. It was found that the said Raghunath Kumar was already arrested by Chittiwadigi Police in case No. 28/2021 pertaining to recovery and seizure of LSD Blots. It was also surfaced that Raghunath Kumar was recognized as Shopper stop on Wicker App, who used to arrange narcotics drug and psychotropic substances from abroad and importing to India illegally and unauthorizedly without any licence and permit, accused Jasbir and accused Shradha used to provide the landing addresses of various persons for receiving the parcels of drugs from abroad which were arranged by accused Raghunath Kumar. The payments were used to make in crypto currencies by the said Raghunath Kumar and at time by Jasbir as well. The said Raghunath Kumar and Jasbir/Shardha were having their share 50-50 respectively. The entire contraband imported illegally in the above stated manner was used to collect at the place of Jasbir and thereafter the same was further distributed by way of parcels through the accused persons and others persons. All the accused persons were recognized by their name (assumed name) used on the Wicker & Telegram App.

Accused Jasbir has also admitted in his statement that he has been in the business of selling drugs for a long period of time. He has stated that he was initially a consumer of drugs

then he started buying on Wicker and selling the same on Telegram. He further admitted that he was selling the drugs through a group namely Orient Express on social media application Telegram which also included other sellers and they used to ship ganja and other drug parcels via courier services like India Post etc. He has also disclosed that he was working with other accused persons. The accused Shradha used to provide with addresses and drugs were then procured on those addresses from foreign suppliers. Then drugs after it received in India was supplied from those addresses by accused Shradha (through Wefast courier app) to the address of accused Jasbir. Further, for the procurement of drugs orders online accused Jasbir converted the money received from the sale of drugs to crypto currencies and then used those crypto currencies to buy drugs online. Accused Naman Sharma is admin of the group of syndicate who are indulged in illicit trafficking of narcotics drugs and psychotropic substance for procuring the orders and distribution of contraband in India. The evidence vis-à-vis transfer of money in the account of cousin brother namely Neil Singhvi of accused Shradha, on her asking and request, has been accepted the payments and also made payments on the asking of accused Shradha. He has also made his statement under section 164 Cr.P.C. The evidence regarding transmission of drugs from different landing addresses to the address of accused Jasbir has been accepted by the Wefast app rider i.e. Karan Kumar Gupta who further identified the photo of accused persons Shradha and Jasbir, who has also made is statement under Section 164 Cr.P.C.

The modus operandi for trafficking of contraband was being marketed on social media platforms and then delivered

to the customers/consumers through parcels. The fine quality ganja as well as other contraband were well-ordered from abroad through darknet by use of crypto currency. Accused Jasbir, accused Shradha, accused Guhan Sarvothaman, accused Raghunath Kumar and Tareena Bhatnager are having other cases of NDPS Act against them.

Ld SPP for NCB has argued that accused persons are part of narcotic syndicate involved in procurement, distribution of psychotropic drugs and ganja and even the accused persons were found in possession of contra-band therefore the charge for conspiracy and for possession of individual quantity of contra-band may be framed against accused persons.

Ld counsel for accused persons argued that accused persons have been falsely implicated and maximum charge for recovery of individual quantity may be framed qua accused persons but the charge for conspiracy cannot be framed against all accused persons.

It has been submitted on behalf of accused Rahul Mishra that the role attributed to the accused is that the parcel of accused Sarvothaman Guhan was received at his address but accused does not have anything to do with the same and conscious possession of the ganja cannot be attributed to the accused, therefore, prays for discharge of accused.

It has been argued on behalf of accused Aashray Pandey that the parcel was recovered when accused Aashray Pandey was sitting in his car with details of consignee namely accused Rahul Mishra but no public witness has been joined and that recovery is from public place and accused is not connected with any of the recovery from accused Sarvothaman Guhan and

maximum charge u/s 20 (b) (ii) (A) NDPS Act and not u/s 29 NDPS Act.

Ld counsel for accused Naman Sharma further argued that there is no recovery from accused Naman Sharma and accused is only linked to Jasbir Singh, Shradha Surana, Parichay Arora and Md Aslam on the basis of disclosure statement and on the basis of suspicion, accused cannot be charged.

Ld counsel for accused Dixita Golwala has argued that there is non compliance of section 52A NDPS Act and second alleged recovery is from the office of accused Krunal Golwala, accused was not having any knowledge of said fact.

Ld counsel for accused Raghunath Kumar argued that accused Raghunath Kumar was named by co accused Jasbir Singh, Shradha Surana. He was arrested from Pillari jail and there is no evidence that accused was in touch with co accused persons through mobile phone/telegram chat nor there is any monetary transaction of accused with any of co accused.

It has been argued on behalf of accused Parichay Arora that no recovery has been effected from accused and there is disclosure statement of co accused persons against accused.

It has been argued on behalf of accused Devesh Vasa that nothing incriminating was found from the possession of accused and parcel allegedly containing 5 LSD blots was in the name of Ashley Mills and not in the name of accused, therefore, no case is made out against accused.

It has been argued on behalf of accused Aditya Reddy that the transaction between Krunal Golwala and '*Onlylove*' has been relied upon by the NCB but accused does

not know anyone with the name of Onlylove and accused has never paid for any of the alleged recovery in this matter, therefore, prays for discharge of accused.

It has been argued on behalf of accused Jasbir Singh that recovery from foreign post office, Kolkata cannot be attributed to accused, the recovery from accused Suvashish Roy, Dixita Golwala and Krunal Golwala also cannot be attributed to accused and the chats recovered from phone of accused Krunal Golwala cannot be a ground for charge against accused.

Submissions of all parties heard.

From the possession of accused Sarvothaman Guhan on 04.08.2021, there is recovery of 30gm of ganja, .45gm of Ecstasy while from his house, there is recovery of 01kg of ganja and INR 15.5 lakh, thereafter on his disclosure, there is recovery of 1.05kg of ganja from the possession of accused Rahul Mishra and 410gm of ganja from the possession of accused Aashray Pandey, therefore, there is prima facie sufficient material on record to frame charge, u/s 20 (b) (ii) (B), 22 (a) NDPS Act for possession of ganja and Ecstasy by accused Sarvothaman Guhan, section 20 (b) (ii) (B) NDPS Act for possession of 1.05kg of ganja against accused Rahul Mishra, section 20 (b) (ii) (A) NDPS Act for the possession of 410gm ganja against accused Aashray Pandey and conspiracy sell and possession of (1.05kg+30gm ganja) recovered from accused Sarvothaman Guhan against accused Sarvothaman Guhan, Rahul Mishra and Aashray Pandey u/s 20 (b) (ii) (B) r/w section 29 NDPS Act.

Accused Jasbir Singh was arrested on the disclosure of accused Sarvothaman Guhan and accused Jasbir disclosed about Shradha Surana, Naman Sharma and Md Aslam @ Chiko

(admin of group on telegram by the name of Orian Express), the name of Jasbir on the group was Optimus Prime. On the disclosure of accused Jasbir, there is recovery of 39.700gm paste of Cannabis and 2.530gm liquid Cannabis from foreign post office, 12 Kiran Shankar Roy road, Kolkata, therefore, there is sufficient material on record to frame charge u/s 20 (b) (ii) (A) NDPS Act against accused Jasbir.

Further, on the disclosure of accused Jasbir, the details of phone number 9537387776 and Pseudo name Fluffy @ The Prime Memester i.e. Krunal Golwala and Phoebe i.e. Dixita Golwala came, from the house of accused Dixita Golwala and Krunal Golwala, there is recovery of 1.030kg of ganja and 955gm of imported ganja, 96.6gm of charas, 363 Ecstasy tablets (284gm MDMA), 286 LSD blots (5.6gm), 171gm hashish chocolate from the office of Krunal Golwala but accused Dixita Golwala is also member of the same group and there is recovery of chat regarding contra-band from the phone of accused Dixita Golwala, therefore, there is prima facie sufficient material on record to frame charge u/s 20 (b) (ii) (B) r/w section 29 NDPS Act and section 22 (c) r/w section 29 NDPS Act for conspiracy of possession of the above-mentioned contra-band at office and at house against accused Dixita Golwala and Krunal Golwala.

On the disclosure of accused Jasbir Singh, accused Shradha Surana was apprehended and she was active on the telegram group with the name of Bansky, her role is to provide landing address and on the instruction of accused Jasbir Singh to collect the parcel through Karan Gupta (witness) and then deliver the same to Jasbir Singh, there is financial transaction by accused by using the bank account of her cousin namely Mr Neil Singhvy

with accused Devesh Vasa and Parichay Arora, the statement of Mr Neil Singhvy and Mr Karan Gupta are on record to that effect. The accused Shradha Surana also disclosed about Suvashish Roy and Devesh Vasa. Accused Shradha Surana disclosed about sending the parcel to Mahagun Mascot Society and Supertech Living Stone Society and from the said address i.e. house of Suvashish Roy, there is recovery of 1.250kg of high quality ganja, 16gm of Ecstasy pills, 06gm of heroin and 40gm charas while from the parcel, with the name of Ashley was having the phone number 8697028048 and from the said parcel, there is recovery of 05 LSD blots (0.05gm), therefore, there is sufficient material on record to frame charge u/s 22 (b) NDPS Act (for LSD Blots) against accused Devesh Vasa and 22 (b) r/w section 29 NDPS Act against accused Shradha Surana and Devesh Vasa (for conspiracy of sell and purchase of LSD Blots). There is also sufficient material on record to frame charge against accused Suvashish Roy for possession of u/s 20 (b) (ii) (B) NDPS Act (ganja), 22 (c) (Ecstasy), 21 (b) (heroin), 20 (b) (ii) (A) (charas 40gm).

Accused Suvashish Roy disclosed that the contra-band recovered at his house belongs to accused Parichay Arora and there are various financial transactions between accused Parichay Arora and Suvashish Roy, from the room of accused Parichay Arora and Vishal Chaturvedi, there is recovery of 1gm of ganja, 05 rolling papers, 16 tablets of Alprazolam, 12 capsules of Proxivon and half tablet of Ecstasy, 9gm of charas but the weight of Alprazolam, Proxivon and Ecstasy tablets is not on record, therefore, there is prima facie material on record to frame charge for conspiracy of possession u/s 22 (a) r/w section 29

NDPS Act for small quantity of Alprazolam, Proxivon and Ecstasy, u/s 20 (b) (ii) (A) NDPS Act r/w section 29 NDPS Act (1gm ganja and 9gm charas) against accused Parichay Arora and Vishal Chaturvedi. There is also sufficient material on record to frame charge for conspiracy of possession/sell of contraband at the house of Suvashish Roy against accused Suvashish Roy, Shradha Surana and Parichay Arora u/s 20 (b) (ii) (B) r/w section 29 NDPS Act (ganja), 22 (c) r/w section 29 NDPS Act (Ecstasy), 21 (b) r/w section 29 NDPS Act (heroin), 20 (b) (ii) (A) r/w section 29 NDPS Act (charas 40gm).

There is no recovery from accused Naman Sharma, Raghunath Kumar, Md Aslam @ Chiko and Aditya Reddy.

The allegations against accused Md Aslam @ Chiko is that he formed the group Orient Express, there are various financial transactions between accused Parichay Arora and accused Md Aslam @ Chiko. From the phone of accused Md Aslam, one screen shot was recovered regarding arrest of accused Krunal Golwala and Dixita Golwala, from the phone of accused Md Aslam @ Chiko, screen shots of PPtheplug from (Parichay Arora) was also recovered and same was name of accused Parichay Arora on Orient Express, therefore, there is sufficient material on record to show that accused Md Aslam @ Chiko was member of Orient Express group.

Accused Raghunath was in custody in another matter of NDPS then arrested in this matter and the allegations is that the accused ordered the contraband from abroad and imported to India with the name of *Shoppersstop* on Wicker App but no document/electronic evidence has been recovered from possession of accused Raghunath to show that he was active on

the group Orient Express or was having name of *Shoppersstop* or he imported contraband into India. No financial transaction or CDR connectivity of accused Raghunath has been placed on record with any of co-accused.

The allegations against accused Aditya Reddy that he was active member of Orient Express, Telegram group with the name of *Onlylove* and ordered LSD Blots with hydro Ganja but no electronic evidence or any other evidence has been placed on record to show that the accused Aditya Reddy was member of group with the name of *Onlylove*. No financial transaction or CDR connectivity of accused Aditya Reddy has been placed on record with any of co-accused, therefore, there is not sufficient material on record to frame charge against accused Raghunath Kumar and Aditya Reddy, therefore, they are discharged in this matter.

From the phone of accused Naman, there is recovery of screen shot with the name of PPtheplug, the photographs of contra-band with weight and name @ the Prime Memester (name of Krunal Golwala in the group), there are screen shots of financial transactions of accused with Shradha Surana, Jassi Kingman (Suvashish Roy), Parichay Arora, therefore, the accused Parichay Arora, Suvashish Roy, Jasbir Singh, Krunal Golwala, Dixita Golwala, Md Aslam @ Chiko and Naman Sharma, Shradha Surana were members of Orient Express and all the contra-bands recovered in this matter were supplied through said platform, therefore, there is sufficient material on record to frame charge u/s 20 (b) (ii) (B) r/w section 29 NDPS Act (for the recovery of whole ganja in this matter), 21 (b) r/w section 29 NDPS Act (whole heroin recovered in this matter) and 22 (c) r/w

section 29 NDPS Act (whole MDMA and LSD recovered in this matter) against accused Parichay Arora, Suvashish Roy, Jasbir Singh, Krunal Golwala, Dixita Golwala, Md Aslam @ Chiko and Naman Sharma, Shradha Surana.

Mr. Raghunath Kumar and Mr. Aditya Reddy are directed to furnish bail bond u/s 437-A CrPC in the sum of Rs. 50,000/- with one surety of like amount on 28.03.2025.

List for framing of formal charge on **05.04.2025**.

(Sudhir Kumar Sirohi)
ASJ/Spl. Judge, NDPS/N. Delhi
26.03.2025