

SC47/2022
NARCOTICS CONTROL BUREAU Vs. SARVOTHAMAN
GUHAN
15.12.2025

Present: Sh. P C Aggarwal, Ld. SPP for NCB.
Sh. Chinmay Dubey, Ld. counsel for accused Dixita Golwala.
Ms. Varnika, Ld. Proxy counsel for Sh. Abhir Dutt, Ld. Counsel for accused Sarvotthaman Guhan and Jasbir Singh alongwith accused persons.
Sh. Kunal Narwal, Ld. counsel for accused Krunal alongwith accused.
Ms. Neha Tandon, Ld. Counsel for accused Shradha Surana.
Sh. Ashutosh, Ld. Proxy counsel for sh. Vikram Hegde, Ld. Counsel for accused Ashray Pandey, Naman Sharma and Devesh Vasha.
Sh. Gunjan Kumar, Ld. Counsel for accused Md. Aslam.
Ms. Preetika, Ld. Proxy counsel for Sh. Lewis Edward, Ld. Counsel for accused Vishal Chaturvedi.
Accused Suvashish Roy produced from JC.
Accused Krunal Golwala, Devesh Vasa, Md. Aslam, Krunal Golwala, Parichay Arora and Jasbir Singh are present (through VC)

Accused Ashray Pandey, Vishal Chaturvedi, Rahul Mishra, Sharadha Surana, Sarvathaman Gohan on bail present.

Accused Raghunath and Aditya Reddy were discharged in present case.

The Ld. Counsel for accused Devesh Vasa has moved an application u/s 228 BNSS, 2023 seeking exemption from personal appearance on the ground that his sister is getting married in Kolkata. The application is accompanied with the copy of one marriage invitation card. The application has been filed on the wrong premise that the case is listed for filing of the CRCL report/scrutiny of documents/arguments on charge, which is not the case since the matter is listed for PE. Furthermore, as per the applicant physical presence is required only for the purpose of framing of charge, recording his statement u/s 313 CrPC, 1973. The contentions mentioned in the present application are wholly devoid of merits, however, same is allowed today as an exception, since the main IO is not present today.

The Ld. Counsel for accused Naman Sharma has moved an application u/s 228 BNSS, 2023 seeking exemption from personal appearance on the ground that he is currently not well. The application is accompanied with the copy of one the

medical document which is apparently pertaining to patient namely 'Pawan Sharma' and not the applicant/accused. The present application is hereby dismissed with a cost of Rs. 5000/- to deposited with NDBA, PHC, ND on or before the NDOH. Furthermore, as per the applicant is physical presence is required only for the purpose of framing of charge, recording his statement u/s 313 CrPC, 1973. The contentions mentioned in the present application are wholly devoid of merits, however, No further coercive steps are taken, since the main IO is not present today.

The Ld. Counsel for accused Md. Aslam has moved an application u/s 228 BNSS, 2023 seeking exemption from personal appearance on the ground that he is not well. The application is accompanied with copy of one prescription slip, which does not bear the signature or stamp of the concerned doctor. The applicant/accused is apparently prescribed certain medicines, however, there is no document qua the bed rest. The present application is hereby dismissed with a cost of Rs. 5000/- to deposited with NDBA, PHC, ND on or before the NDOH. Furthermore, as per the applicant is physical presence is required only for the purpose of framing of charge, recording his statement u/s 313 CrPC, 1973. The contentions mentioned in the present application are wholly devoid of merits, however, No

further coercive steps are taken, since the main IO is not present today.

Similar applications seeking exemption from personal appearance is filed on behalf of Dixita Golwala and Krunal Golwala on the ground that they were both traveling in the trains and their trains got delayed. The applications are accompanied with the copy of the reservation slips. Heard. Allowed alongwith the direction for him to remain present on NDOH.

PW-1 Sh. Parveen Kumar, Nodal Officer, Reliance Jio is examined, partly cross-examined and his further cross-examination on behalf of accused Rahul Mishra, Sarvothaman Guhan and Naman Sharma is deferred as copy of the CDR and CAF not supplied to the accused persons. Accordingly, NCB is directed to supply the copy of CDR and CAF in advance to the all accused persons before the NDOH. Copy of the CDR and CAF in respect of mobile numbers of Bharti Airtel and other service providers be also supplied to the accused persons in advance before the NDOH.

Issue summons to witnesses mentioned at S. No. 47 from the list of witnesses for next date of hearing.

List for PE on **11.03.2026**.

(Atul Ahlawat)
ASJ/Spl. Judge, NDPS/N Delhi
15.12.2025