

SC47/2022

**NARCOTICS CONTROL BUREAU Vs. SARVOTHAMAN
GUHAN**

04.06.2026

There are two time bound cases listed before the Court today.

Present: Sh. Manikya Taneja, Ld. Proxy Counsel for Sh P C
Aggarwal, Ld. SPP for NCB.

Accused Sarvothaman Guhan is present on bail.

Remaining accused persons are present through VC.

Accused Suvashish Roy is produced from Jail No. 1,
Tihar through VC.

Accused Mohd. Aslam is produced from Sub Jail,
Thrissur Viyyur through VC.

Ms. Chinmay Srivastava, Ld. Counsel for accused
Ashray Pandey, Devesh Vasa and Naman Sharma.

Sh. Debayan Gangopadhyay, Ms. Shreya Garg and
Ms. Varnika Singh, Ld. Counsel for accused Jasbir
Singh and Sarvothaman Guhan.

Sh. Chinmay Dubey, Ld. Proxy Counsel for accused
Mohd. Aslam.

Sh. Piyush Wadhwa, Ld. Counsel for accused Krunal
Golwala.

Sh. Chinmay Dubey, Ld. Counsel for accused Dixita
Golwala.

Ms. Neha Tandon, Ld. Counsel for accused Shradha
Surana.

An application has been filed on behalf of accused Parichay Arora u/s 348 BNSS/311 CrPC recalling of PW-18 Sh. J.P. Singh. Copy of application is supplied to the Ld. Proxy Counsel for Ld. SPP for NCB.

Ld. Proxy Counsel for NCB has objected to the application stating that the same has been filed to cause inordinate delay to the trial and to fill up the defence loopholes. It is submitted that the witness was already examined on 22.05.2026, on which date the applicant Parichay Arora failed to cross-examine this witness. That the application has been filed today only. That belated filing shows intention of the accused to fill up the lacuna in his case. It is submitted that the application deserves to be dismissed.

Ld. Counsel on the other hand, submits that apparently it was due to inadvertent error that the cross-examination of PW-18 on behalf of accused Parichay Arora has been marked as Nil.

I have heard the respective arguments and have perused the record.

Admittedly, PW-18 Sh. J.P. Singh is a material witness to the recovery of the alleged contraband and he has not been cross examined by the accused.

The Court is of the view that the accused can not be made to suffer in the circumstance which he is bound to if the testimony of this witness goes unrebutted. Furthermore, the witness is still under examination by other accused persons and no prejudice would be caused if he is permitted to be cross-examined by the applicant as well.

In the interest of justice, the application is allowed subject to the strict condition that only one effective opportunity would be granted to the accused to cross examine PW-18 Sh. J.P. Singh. Application stands disposed of accordingly.

PW-18 Sh. J.P. Singh is further cross-examined and discharged.

PW-30 Sh. N.C. Muliya is examined, cross-examined and discharged.

Issue summons to PW-27 Sh. Rajeev Sahrawat alongwith the MHCM and the entire case property for NDOH.

List for PE on **05.06.2026**.

(Jitendra Pratap Singh)
ASJ/Spl. Judge, NDPS/N Delhi
04.06.2026/p