

IN THE COURT OF ASJ/SPECIAL JUDGE – NDPS
PATIALA HOUSE COURTS : NEW DELHI

Presided by – Sudhir Kumar Sirohi, DHJS

NCB Vs. Sarvothaman Guhan & Ors.
SC No. 47/22
03.09.2022

Present: Sh. P.C. Aggarwal, SPP for NCB.

Accused Sarvothaman Guhan and Jasbir Singh produced from Kolkata jail by Constable Avijit Mandal, West Bengal Police (card no. 16/16)

Accused Raghunath Kumar not produced from Ballari Jail (it has been reported from Ballari jail that they do not have VC facility).

Accused Parichay Arora not produced from Gautam Budh Nagar Jail.

Accused Rahul Mishra and Ashray Pandey present on bail.

Accused Aditya Reddy on interim bail but absent.

Accused Devesh Vasa and Naman Sharma on regular bail but absent.

Remaining accused produced from JC.

Sh. Chitwan Sharma, proxy counsel for accused Aditya Reddy and Devesh Vasa.

Sh. Lewish Edward, Ld. Counsel for accused Suvashish Roy, Parichay Arora and Vishal Chaturvedi.

Sh. Rajeev Ranjan and Sh. Rishikesh Kumar, Ld. Counsel for accused Mohd. Aslam.

Sh. Rakesh Raushan, Ld. Counsel for accused Raghunath Kumar.

Sh. Abhay Kant Mishra, Ld. Counsel for accused Rahul Mishra.

Sh. Mohsin Sarwar and Sh. Mohd. Akhtar, Ld. Counsels for accused Naman Sharma.

Exemption applications filed on behalf of accused Aditya Reddy, Devesh Vasa and Naman Sharma.

Heard. Allowed for today only with direction to appear on next date positively.

Ld. Counsel for accused Parichay Arora submits that accused has not been produced from Gautam Budh Nagar jail for the last one year.

Submissions heard. It has been observed by the court that accused has not been produced from Dasna jail for the last one year. Issue notice to the worthy DG, Prisons, UP and SSP, Gautam Budh Nagar Jail to ensure that accused Parichay Arora is produced on next date of hearing.

Copy of the order be also sent to worthy Chief Secretary, UP to inform that officials of Dasna jail are not producing the accused either physically or through VC and it is violation of Fundamental Right of the accused for speedy trial.

Ld. Counsel for accused Jasbir Singh submits that he does not have any objection if the accused is produced through VC on next date. Submissions heard. Accused Jasbir Singh be produced through VC from Kolkata Jail on next date.

No counsel is present on behalf of accused Sarvothaman Guhan. Let this accused be also produced through VC on next date of hearing.

An application has been filed on behalf of accused Krunal Golwala and Dixita Golwala u/s 208 Cr.PC to provide the deficient copy of the documents. Ld. Counsels are directed to bring the illegible copies of documents on next date. Ld. SPP is also directed to file copy of the documents mentioned in the application on next date.

List for appearance of the accused persons/further proceedings on 12.10.2022. Issue production warrants for accused Raghunath Kumar to be produced physically from Ballari jail on next date.

Ld. SPP for NCB submits that he will supply the list of unrelieved documents on next date of hearing in the court.

An application for release of jamatalashi articles of accused Naman Sharma is also pending. Copy supplied. At request, list this application also on date fixed.

At this stage, an application has been filed by Constable Avijit Mandal, Kolkata Police stating therein that due to non availability of confirmed railway tickets for return journey from Delhi to Kolkata, their return journey has been delayed for three days and the return journey is on 06.09.2022 and requested that the accused Sarvothaman Guhan and Jasbir Singh may be kept in custody in the present court till 06.09.2022.

Submissions heard.

Accused Sarvothaman Guhan and Jasbir Singh be lodged in Tihar jail till 06.09.2022. Officials of West Bengal Police are directed to produce the accused Sarvothaman Guhan and Jasbir Singh before incharge lock up, New Delhi District, Patiala House Courts, Delhi today and Jail Superintendent, Tihar is directed to hand over the custody of both these accused to Constable Avijit Mandal, Kolkata Police on 06.09.2022.

Copy of this order be sent to jail superintendent, Tihar. Copy of the order be given dasti to the officials of West Bengal Police and be sent to jail superintendent Gautam Budh Nagar Jail through IO.

(Sudhir Kumar Sirohi)
ASJ/Special Judge - NDPS
New Delhi/03.09.2022