

Case No. SC/29/2019
NCB Vs Ganesh Pun

08.02.2019

Present: Sh. B.S. Arora, Ld. SPP for NCB.

Accused not produced from JC.

Sh. Ajay Tyagi, Ld. Counsel for accused.

IO/Sh. Rajesh Kumar Yadav is present.

IO has filed CRCL report. Let copy of same be supplied to Ld. Counsel for accused.

E-Challan not filed.

A copy of an application is received on behalf of Superintendent, Presidency Correctional Home Alipore, Kolkata-700027 written to Special Judge, NDPS cum ADJ, 4th Court, Alipore, 24 Parganas (s) regarding production of accused in the present case. The accused however has not been produced today. Jail superintendent concerned to report on same.

Ld. Counsel for accused submits that he will file Vakalatnama on next date.

Perused the complaint.

It has been alleged in the complaint that on the basis of information dated 12.02.2018 that a parcel lying at DHL Express India Pvt. Ltd. is suspected to contain narcotic substance. The NCB team was sent and on cut opening the parcel, 200 tablets of nitrosun 10 weighing 108 gms of nitrosun 10 were recovered which were concealed in small size plastic sewing machine of white colour having mark 'Ming Hui'. Further the consignor name was mentioned as Sushma Chetri, Arabinda Pelly, Patulia, Titagarh, West Bengal, Kolkata-70019 mobile no. +91-9123704743. A NCB team was sent to Kolkata and on inquiries made by NCB, DZU, Kolkata, it was revealed that the consignor has shifted to Flat No. 1C, Block 71, Green Field City, Kolkata/24

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Pargana. Inquiry was made from Sushma Chetri and she disclosed that her husband has sent the said parcel on her ID. The accused Ganesh Pun was apprehended and arrested and from his possession, certain more drugs were recovered and a separate case was registered by NCB, Kolkata Unit. The accused has admitted in his statement U/s 67 NDPS Act that he has concealed 108 gms of nitrosun 10 in the parcel which was recovered from DHL Express India Pvt. Ltd. As per CRCL report, tablets have given positive test for nitrazepam.

In the considered opinion of this Court, the material on record is sufficient to take cognizance of the offences punishable U/s 8 (c) and 22 (b) of NDPS Act. Hence, cognizance is so taken. Copies of the complaint and documents be supplied to Ld. Counsel for accused.

This complaint has been filed by a public servant Rajesh Kumar Yadav, IO in discharge of his duties. He has moved an application for dispensing with his preliminary examination and for his exemption from personal appearance for future dates on the ground that he remains busy in official duties and it is not possible for him to attend the court on each and every date of hearing and that he be therefore allowed to be represented through the Special PP. In view of the submissions made, the preliminary examination of the complainant is dispensed with and he is exempted from personal appearance during trial.

To come up for filing of E-Challan, scrutiny of documents/consideration on charge on 16.03.2019.

Let fresh production warrants be issued for appearance of accused on next date.

(Sudesh Kumar II)
Special Judge/NDPS
New Delhi/08.02.2019