

SC67/2021

NARCOTICS CONTROL BUREAU Vs.WAHID ALI & ORS

16.02.2026

Present: Sh. Manish Gupta, Ld. Substitute SPP for Sh. Mukeysh Malik, Ld. SPP for NCB.
Sh. J.S. Khushwaha, Ld. counsel for accused Bethlehem @ Nunu through VC.
Ms. Farah Khan, Ld. counsel for accused Mohsin Ali through VC.
Sh. Sumit Sharma, Ld. counsel for accused Wahid Ali and Peter along-with accused Peter.
Accused Bethlehem @ Nunu is present through VC.
Accused Emmanuel Williams is present in person.

Ld. SPP for NCB and Ld. Counsels present before the Court submit that there is no direction of either of the Hon'ble Supreme Court of India and Hon'ble High Court of Delhi for any time bound disposal of this case.

The Ld. Counsel for accused Wahid Ali has moved an application u/s 228 BNSS, 2023 seeking exemption from personal appearance on the ground that he is suffering from ill health. The application is accompanied with the copy of the medical documents. Heard. Allowed along-with the direction for him to remain present on NDOH.

Ms. Fazia, surety of the accused Mohsin is present on VC along-with the Counsel Ms. Farah. It is stated that the surety is unable to produce the said accused. Surety submits that the surety bond may be forfeited as the surety cannot produce the accused.

Since, the surety has failed to produce the accused Mohsin Ali and also could not furnish sufficient cause for doing so, despite being his wife, the Court is satisfied that the surety is bound to pay the penalty to the tune of the surety bond amount. Accordingly, the surety bond is forfeited and the IO is directed to take steps for depositing the surety bond amount with the Court.

At this stage, SI S.K. Pandey has produced before the Court, the report of publishing the process U/s 84 BNSS against the accused. I have perused the report. It is silent regarding reading of the proclamation in the village of the accused Muhsin Ali and its affixation at his house. I do not deem the report to be sufficient in compliance of Section 84 BNSS. Issue fresh process U/s 84 BNSS against the accused Muhsin Ali for NDOH.

Matter be listed on **17.04.2026** for consideration qua the accused Bethlehem in view of his subsequent arrest after being proclaimed an absconder in the present case.

(Jitendra Pratap Singh)
ASJ/Spl. Judge, NDPS/N Delhi
16.02.2026/P