

7 SC 107/2024
STATE Vs. BHALLA RAM
FIR No. 239/2023
PS SPECIAL CELL

04.07.2025

Present: Sh. K. D. Pachauri, Ld. Addl. PP for the State.
Sh. Sumit Sharma, Ld. counsel for accused Amara Ram.
Sh. Sahil, Ld. Proxy Counsel for Sh. S. B. Sharma, Ld. Counsel for accused Bhalla Ram.
Accused Bhana Ram produced from Jodhpur Jail (through VC).
Accused Bhalla Ram and Amara Ram produced from JC.

Perusal of the record reflects that application moved on behalf of accused Amara Ram u/s 345 to 347 of BNSS, 2023 seeking pardon is pending adjudication and the same is also listed for today.

It is submitted by Ld. Addl. PP for State that the State does not want to make accused Amara Ram as a prosecution witness after being declared as PO, since, there are sufficient incriminating material against him and State wants to prosecute him.

Perusal of the records reflects that the after seeking the necessary instructions from the superior officers, the IO moved an application seeking recording of the statement of accused Amara Ram u/s 183 BNSS and his statement was recorded before the Ld. JMFC on 10.02.2025. The copy of the said statement is filed by the IO.

It is further submitted by the Ld. Addl. PP for State that there is a recovery of commercial quantity of the contraband i.e. 40.876kg of opium at the instance of accused Amara Ram and co-accused Bhana Ram from the special cavity of Kia Seltos car and the State is objecting to the approver status being sought by accused Amara Ram and wants to prosecute him.

IO is stated to be in the Hon'ble High Court of Delhi in some other matter. Issue fresh notice to the IO to remain present on NDOH.

Issue fresh production warrants to the concerned Jail Superitdent to produce accused Bhana Ram on NDOH.

Put up for further proceedings in both the main case and the application seeking pardon on **15.09.2025**.

(Atul Ahlawat)
ASJ/Spl. Judge, NDPS/N. Delhi
04.07.2025