

FIR No. 226/19
PS Special Cell
Case No. SC/117/2020
State Vs. Anubhav Dushad & ors.

05.03.2021

Present: Sh. Ravindra Kumar, Ld. Addl. PP for the State.

All the three accused produced from JC.

Sh. Mohd. Hasibuddin, Ld. Counsel for accused Renuka Biswas.

Case is listed today for arguments on charge.

Ld. Addl. PP submits that all the accused persons entered into a criminal conspiracy and there is recovery of commercial quantity of contraband from all the accused persons. Ld. Addl. PP further submits that at the time of arrest, accused Christian Jole was not having any valid document for his stay in India and hence charges u/s 21(c) and 29 r/w section 21(c) NDPS Act are made out against all accused persons and additionally charge u/s 14 Foreigners Act is made out against accused Christian Jole.

Ld. Counsel for accused Renuka Biswas submits that nothing was recovered from the accused persons and the recovered contraband was planted upon the accused persons.

Heard. As per the chargesheet, all the three accused persons entered into a conspiracy for manufacture, possess, sale, purchase, transport, import, export or use of heroin which is a narcotic drug and on 15.12.2019 at about 07.30 AM at parking near Railway Station, Pahargunj side, New Delhi, accused Renuka Biswas and Anubhav Dushad were found in possession of 3 kg heroin each from separate polythene bags carried by them. Further, 16.12.2019 at about 10.00 AM near Nursery, Shiv Vihar Enclave, New Delhi, accused Christian Jole was apprehended at the instance of accused Anubhav Dushad and 2 kg of heroin was recovered from the polythene bag carried by him. At the time of arrest, accused Christian Jole

did not have any document for his valid stay in India as he had exceeded the period for which the visa was issued to him.

Perusal of record prima-facie reveals commission of offence punishable u/s 21(c) and 29 r/w section 21(c) NDPS Act is made out against all the three accused persons and further, an offence punishable u/s 14 Foreigners Act is made out against accused Christian Jole. Charges framed accordingly to which the accused persons pleaded not guilty and claimed trial.

List this case for PE on 01.05.2021. Jail superintendent is directed to produce accused Anubhav Dushad, Renuka Biswas and Christian Jole physically on the next date of hearing. Copy of this order be sent to jail superintendent for compliance.

Order be uploaded on Delhi District Courts website.

(Ajay Kumar Jain)
Special Judge-NDPS
New Delhi/05.03.2021