

**IN THE COURT OF ASJ/SPECIAL JUDGE/NDPS  
PATIALA HOUSE COURTS, NEW DELHI**

**Presided by: Sudhir Kumar Sirohi, DHJS**

**SC No. 284/2021**

**NCB Vs. Parminder Singh**

27.03.2023

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

Accused on bail with Sh Sumit Sharma, Ld counsel  
for accused.

Brief facts of the case are that on the basis of information, parcel bearing no. AWB no. 5352331003 lying at DHL Express India Pvt Ltd at 71/3 Rama road, New Delhi-110015 was intercepted, the said parcel was having consignor's address of Harmanjeet Singh at Jalandhar, Punjab and consignee's address as Navjot Singh at 86ST Albans road, Smethwick, B67 7NJ, United Kingdom. The said parcel was containing 440gm of opium. During investigation, it was found that the parcel was booked at DHL Jalandhar and was booked by wholesaler Bay Area Impex and the contact number was given as 7657845754. Thereafter, the manager Bay Area Impex courier filed detail that the parcel was booked by Mrs Sonia, Kaka Courier, Bheema market, opposite Union Bank of India, Amritsar road, Batala-143505, phone no. 8437444948. During further investigation, it was found that the consignor's name is given in the invoice was of Mr Manjeet Malhotra, H. No. B-21/149, Sekhrain Mohalla, near Sai Mandir, Gurdaspur, Punjab. Mr Manjeet Malhotra appeared before NCB and submitted that the parcel was booked by Kaka courier company, Batala, Punjab. Ms Sonia of Kaka Courier company stated two mobile numbers i.e.

9779052231 & 9855191698 in respect of consignor of said parcel. Thereafter on the basis of said numbers, accused was apprehended and he was identified by Ms Sonia as a person who booked the parcel. Accused booked the parcel on the basis of fake documents i.e. Adhaar card and driving licence in the name of Harmanjeet Singh while the name of accused is Parminder Singh but the photo in the document of Harmanjeet Singh was of accused/applicant.

Ld counsel for accused argued that no receipt of courier of booking at Kaka courier agency has been filed nor any receipt of booking amount at Kaka courier has been obtained by IO. It is further argued by Ld counsel for accused that alleged forged Adhaar card and driving licence have not been recovered from accused. Moreover, no document has been recovered to show that Ms Sonia was working as agent of DHL or any other agency to book the parcel, therefore, accused may be discharged.

Ld SPP for NCB submits that statement of Ms Sonia has been recorded in this matter, she identified the accused, the photographs of accused was found on the documents which lead to apprehending accused on the basis of phone numbers providing by Ms Sonia, the phone number 9855191698 belongs to accused and other parcels were also booked with same number. Ld SPP argued that there is recovery of intermediate quantity of opium in this matter and accused tried to export the same outside India, therefore charge u/s 18 (c) and 23 (b) NDPS Act may be framed against accused.

Submissions of all parties heard.

The parcel was booked on the documents of Harmanjeet Singh with photo of accused i.e. Adhaar card and

driving licence then statement of Ms Sonia from where the parcel originated was recorded, she identified the accused, gave phone number of accused i.e. 9855191698, the CAF of said mobile number was obtained by the IO and phone number is in the name of accused. At this stage, there is no ground to disbelieve statement of Ms Sonia when there are so many evidences against accused, accordingly, prima facie record shows that there are sufficient material to frame charge u/s 18 (c) & 23 (b) NDPS Act against accused when there is recovery of intermediate quantity of opium and accused booked the parcel for exporting the same outside India.

List for framing of formal charge on 26.04.2023.

**(Sudhir Kumar Sirohi)**  
**ASJ/Spl. Judge, NDPS/N. Delhi**  
**27.03.2023**