

SC 354/2022

**CENTRAL BUREAU OF NARCOTICS Vs. MUKESH
KUMAR GUPTA AND ORSC
BN NO 1/22/2022**

01.04.2026

Present: Sh. Aman Tripathi, Ld. Proxy Counsel for Ld. SPP
Sh. Satish Aggarwala.
PW Inspector Praveen Dhall is present
MHCM PS Hari Nagar is also present.
Accused Mukesh Gupta is present on bail.
Ms. Sia Das, Ld. Counsel for accused Mukesh
Gupta.

Accused Ram Dhan Goel produced from JC and states that he earlier was represented by Ld. Counsel Sh. S.S. Das. Ms. Sia Das submits that she is attached with the office of Sh. S.S. Das and as of today, the brief of accused Ram Dhan Goel is not retained by Sh. S.S. Das. Accused states that he is not aware about change of any counsel.

In these circumstances, the Court directs that the copy of this order be sent to the Office of Chief LADC, New Delhi District for considering Legal Aid to be provided to the accused Ram Dhan Goel currently in JC.

Accused Ram Dhan Goel states that he is not keeping well and submits that his production on the subsequent dates be permitted through V/C.

Conti...2/

:-2-:

Considering his submission, it is directed that till further order of the Court, the accused Ram Dhan Goel be produced through V/C.

PW Inspector Praveen Dhall submits that today also the case property has not been produced by the MHCM PS Hari Nagar. The MHCM Head Constable Om Prakash submits that the case property is not traceable and as such could not be produced today.

In the instant case, the charge has been framed on 27.02.2024. Since then only one witness has been examined on behalf of the CBN. Record reveals that on 26.12.2025 the Court had observed the casual conduct of the prosecution by the CBN and had brought the same to the notice of the Commissioner CBN. Thereafter, the evidence could not be recorded on 30.01.2026 for want of case property which led the Court to issue appropriate directions for production of the case property. Today again, the testimony could not be recorded as the case property has not been produced.

The Court is of the view that the accused cannot be made to suffer for the fault of the Agencies. Nothing has been stated before this Court to show that any effort has been made on behalf of CBN since 30.01.2026 towards making the arrangements for producing the case property before this Court.

Conti...3/

:-3-:

In these circumstances, the Court closes the opportunity of the CBN to examine PW Inspector Praveen Dhull. He stands discharged.

Witness mentioned at serial no.1 be summoned for the NDOH.

The current serving superintendent P&I Cell, CBN New Delhi be issued notice for his personal appearance before the Court on the NDOH.

SHO PS Hari Nagar is also called to appear in person and to explain the facts leading to the misplacing of the case property.

The copy of this order be sent to the commissioner, Central Bureau of Narcotics through the superintendent concerned CBN to file a written explanation about the reasons of delay in production of the case property.

Matter be listed for PE on **13.05.2026**.

(Jitendra Pratap Singh)
ASJ/Spl. Judge, NDPS/N Delhi
01.04.2026/r