

SC 445/2025

NCB Vs. PROSHANTA BARMAN

16.03.2026

Present: Sh. P C Aggarwal, Ld. SPP for NCB alongwith Adv.
Sh. Manikya Taneja.
Accused is produced from JC represented by
Counsel Sh. Sanjeev Manan.

This complaint has been filed by a public servant IO/SI Manoj Kumar Yadav in discharge of his duties. He has moved an application for dispensing with his preliminary examination and for his exemption from personal appearance for future dates on the ground that he remains busy in official duties and it is not possible for him to attend the court on each and every date of hearing and that he be therefore allowed to be represented through the Special PP. In view of the submissions made, the preliminary examination of the complainant is dispensed with and he is exempted from personal appearance during trial

Perused the complaint.

It is the case of the prosecution that on 03.07.2025, on the basis of information, accused Proshanta Barman was intercepted at Anand Vihar Railway Station while he arrived from Kooch Bihar by train no. 22411 and he was found in possession of 42.011 KG ganja. The co-accused

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'A' (name withheld being a CCL) was also intercepted at Railway Station as he came there to receive the contraband from Proshanta Barman. During further investigation on the disclosure of accused Proshanta barman 5.050 KG ganja was also recovered from his rented premises. Thereby total 47.061 KG ganja was recovered from the possession of accused Proshanta Barman. The sample of the recovered drug was sent to the laboratory and same was opined positive for ganja. However, the proceedings of the CCL transferred to Juvenile Justice Board as he was found to be a minor on the date of commission of offence.

In the considered opinion of this court, the material on record is sufficient to take cognizance of the offences punishable u/s 20 and 29 of NDPS Act. Cognizance is taken.

Copy of complaint supplied to accused Proshanta Barman.

Arguments on charge heard.

Ld. Counsel for accused submits that accused is innocent and has been falsely implicated in the present case. That recovery effected from the accused is not supported with statement of independent witnesses or any video recording. On the other hand, Ld. SPP for NCB submits that there is sufficient material to proceed against the accused in the present case.

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I have heard the respective submissions.

The case of the prosecution, at this stage, in the light of alleged recovery discloses sufficient prima facie material which leads grave suspicion to prosecute the accused for the offence u/s 20 (b) (ii) (C) of NDPS Act.

Accordingly, formal charge u/s 20 (b) (ii) (C) of NDPS Act, 1985 is framed against the accused. The accused pleaded not guilty and claimed trial.

Issue summons to witnesses at serial no. 1 & 3 and MHCM along-with entire case property for NDOH.

Matter be listed for PE on **15.07.2026**.

(Jitendra Pratap Singh)
ASJ/Spl. Judge, NDPS/N Delhi
16.03.2026/r