

State Vs Ashish Sharma and Ors.  
SC No. 378/18  
FIR No. 64/18  
PS: Special Cell

17.12.2018

Present:- Sh. S.K. Kain, learned Addl. PP for the State along with IO  
SI Anuj.

All accused persons produced from JC except accused  
Rajender, who is on interim bail.

Sh. K. Singhal, learned counsel for accused Ashish  
Sharma.

Sh. Deepak Kaushik, learned counsel for accused Parveen  
Saini and Pawan Kumar.

Sh. Rajiv Mohan and Swapnil, learned counsel for accused  
Lalit Sukhija.

Sh. Rohit Kataria, learned counsel for accused Rajender.

IO has briefed about the case.

From the material available on record, there is sufficient material  
to take cognizance against accused persons u/s 22, 23 and 29 NDPS Act.  
Accordingly, cognizance is taken.

It is submitted by IO that NBWs against accused Harvinder Singh  
@ Baljeet Singh @ Balli are yet to be executed and proceedings for extradition  
are to be initiated. IO is directed to expedite the process.

It is pointed out by IO that applications for taking voice samples of  
appearing accused persons were filed.

Learned Sh. Rajiv Mohan, on instructions from accused Lalit  
Sukhija, submits that he has no objection for giving voice sample subject to the  
guidelines passed by Hon'ble Supreme Court in the case of **Sudhir**

**Chaudhary and Ors. Vs State (NCT of Delhi), (2016) 8 SCC 307.**

Accordingly, IO is at liberty to take voice sample of accused Lalit Sukhija. However, IO would ensure that the text which the appellants would be called upon to read out for the purpose of drawing their voice samples will not have sentences from the inculpatory text. Similarly, permitting the text to contain words drawn from the disputed conversation would meet the legitimate concern of the investigating authorities for making a fair comparison.

Copy of charge-sheet has already been supplied to accused persons/their counsels.

Matter be put up for scrutiny of documents/arguments on charge on 01.02.2019.

Reply to bail application of accused Ashish Sharma filed by IO.

At request of learned counsel for accused Ashish Sharma, bail application be put up for arguments on 11.01.2019.

Another application has been moved on behalf of accused Rajender, for extension of interim bail.

Learned Addl. PP submits that he does not want to file reply and would argue straightaway.

Arguments heard.

It is submitted by learned counsel for accused Rajender that wife of accused has delivered a boy on 16.12.2018 and hence presence of accused is required to take care of his wife.

In the facts and circumstances, interim bail of accused Rajender is extended for 02 weeks on the same terms and conditions as imposed vide order dated 07.12.2018. Accused is directed to surrender directly before the concerned Jail Superintendent on expiry of interim bail.

Application is disposed of accordingly.

At request of IO copy of order be given dasti to him.

**(Ajay Pandey)**  
Addl. Sessions Judge-04  
New Delhi District, Patiala House Courts  
New Delhi/17.12.2018