

21.04.2018

ORDER ON CHARGE

Present: Sh. D. K. Singh, Ld. Addl. PP for the State.
Accused Rabia @ Rubi on bail.
Accused Mohd. Irshad produced from JC.
Sh. K. N. Sharma, Ld. LAC for accused Mohd. Irshad.
Sh. Sunil Tiwari, Ld. Counsel for accused Rabia @ Rubi.
Insp. Rajnikant Sharma alongwith IO/ASI Sanjay.

Vakalatanama filed on behalf of accused Rabia @ Rubi.

Heard further on charge.

On 29.08.2017, one secret information was received that one Mohd. Irshad would come to supply Heroin at in front of Khajuri Chowk near Khajuri Bus Stand, Delhi. After following the formalities, raiding team was constituted. It reached at Khajuri Chowk. At about 10:00 pm, one person came from the side of Bhajanpura. He was having one white and red colour carry bag. After apprehending him at the instance of secret informer, notice u/s. 50 of NDPS Act was served upon him. The said person refused to be searched before any Gazetted Officer or Magistrate. From the search of the bag carried by the said person, 800 grams of Heroin was found in the same which was seized. The said person was accused Mohd. Irshad. He made disclosure statement that he used to procure the contraband from one Rabia and Narsimha, both ladies and both were his relatives. Rabia was also arrested. However, nothing has been recovered from her. Her disclosure statement was also recorded in which she allegedly confessed to supply the contraband.

There is no material on record against Rabia except the disclosure statement of co-accused Mohd. Irshad as well as her own disclosure statement. She was not found at the place of recovery either. The disclosure statements are of no use as against accused Rabia. Therefore, no case is made out against accused Rabia @ Rubi for framing of charge. As such accused Rabia @ Rubi is discharged from the case. Her bail bonds are extended for further six months u/s.

437-A CrPC.

Prima facie case for framing of charge u/s. 21(c) NDPS Act is made out against accused Mohd. Irshad. Charge framed accordingly to which accused pleaded not guilty and claimed trial.

Put up for PE on 31.05.2018.

(SANJAY BANSAL)
Special Judge (NDPS)/
NE/KKD/Delhi/21.04.2018