

SC 280/2021  
STATE Vs. MOHIT YADAV  
FIR No. 21 /2021  
PS- (Crime Branch-South East)

08.12.2023

Present : Sh. Wasi-Ur-Rahman, Ld. Addl. PP for the State.  
Accused Mohit Yadav, Subhash Chander and Badakulu  
produced from JC.  
Sh. Rajesh, Ld. Counsel for accused Subhash Chander @  
Deepu.  
Sh. Awanish P. Mishra, Ld. Proxy Counsel for accused  
Mohit Yadav.  
Ms. Shivani Sharma, Ld. Proxy Counsel for accused  
Badakulu Ladu @ Sushant.

Today, the matter was listed for hearing arguments on the  
point of charge.

Ld. Counsel for accused persons have conceded the  
charges.

Today, charge for the offences punishable **u/s 29 r/w 20  
(b) (ii) (C) of NDPS Act** is framed against accused Mohit Yadav,  
Subhash Chander and Badakulu Ladu @ Sushant which is read over  
and explained to them in vernacular to which they pleaded not guilty  
and claimed trial.

At this juncture, Ld. Addl. PP for the State submitted that  
in the present case, the registered owner of the vehicle in question and  
the purchaser of the same Pushpender Gupta by way of affidavit has  
been put in column no. 12, they have been sent them for trial on  
account of lack of evidence as per the remarks mentioned at serial no.

17 of column no. 12, whereas in the last paragraph of the chargesheet, the IO has specifically mentioned that the chargesheet against these two persons is being sent for trial u/s 20/25/29 of NDPS Act r/w Section 5/180, 50/177 M.V. Act. It has further contended that the vehicle in question undoubtedly used in the commission of the offence and the owner of the vehicle is responsible for the same and liable to face trial u/s 25 r/w Section 29 & 20 of NDPS Act. Further, the police has not given any specific explanation or ground to absolve these two accused persons. Therefore, both the accused persons may please be summon u/s 319 Cr.P.C.

Submissions heard.

Under these circumstances, **let court notice be issued to accused Shrinivas and Pushendra Gupta to appear in person** on the next date of hearing.

Re-list the matter for **framing of charge qua accused Shrinivas and Pushpender Gupta** as well as for **PE on 28.02.2024**.

**Issue summons to PW/HC Virender Singh, PW/Nodal Officer & MHC(M) with case property** through IO concerned for the next date of hearing.

**Let notice be issued to the concerned IO to appear in person** on the next date of hearing.

**(ARUL VARMA )  
ASJ-04 + Spl. Judge (NDPS),  
South East District, Saket Court,  
New Delhi /08.12.2023**