

Bail Appln. No. 390/26
DRI VS. KULWINDER RAM @ KINDA

13.03.2026

Present :- Ms. Mala Sharma, Ld. Counsel for DRI
None for the applicant / accused.

This is an application u/s 483 BNSS for grant of regular bail moved on behalf of accused Kulwinder Ram @ Kinda .

Reply filed by DRI is already on record.

1.0 As per the allegations, the officers of DRI had intercepted and examined the consignment at ICD, Tughlakabad which was claimed to contain 904 cartons of apple juice and 944 cartons of pomegranate juice with each carton containing 12 bottles of one litre each. On testing, 24 bottles were found to contain heroin. The consignee of the shipment was M/s Seven Seas Global Shipping Company which is a proprietorship concern of co-accused Gulhasan Gulsher Khan. It transpired that the co-accused had used his import-export license to import the said consignment from Afghanistan with origin in Iran. It was revealed that the company which manufactured Suntop Juice did not have any manufacturing facility in Afghanistan or Iran. During the course of investigation, it was revealed that the co-accused was in constant touch with the consigner over whatsapp and that he had also submitted documents and made payments for clearance of the said consignment. During the couse of investigation, it was revealed that present applicant / accused Kulwinder Ram was in touch with co-accused Gulhasan Gulsher and as per his disclosure

statement of co-accused, the present applicant had instructed him to call mobile No. 9306550893 after clearance of the consignment.

1.1 Ld. Counsel for the applicant / accused had submitted that the accused has been falsely implicated in this case. It has further been argued that no incriminating material was recovered from the possession or at the instance of the applicant / accused. It has further been argued that the aforesaid mobile number was being used by one Jaspal Singh. It is submitted that the address as mentioned in the CAF of the aforesaid mobile number does not belong to the applicant / accused.

1.2 Ld. SPP on the other hand submitted that the applicant is a habitual offender and has been convicted for 10 years in FIR No. 97/15, PS Noor Mehal, Jalandhar. It is further submitted that accused is also facing trial in case FIR No. 138/22 PS City Nawanshahr for transporting 38 kgs of heroin from Gujarat to Nawanshahr.

2.0 Arguments heard. Record perused.

3.0 The data retrieved from the mobile phone of co-accused Gulhasan Gulsher revealed communication between him and mobile No. 9306550893 registered in the name of one Jaspal Singh but used by present applicant. Further investigation, revealed that the said number was used to make calls to Asif Nawaz and Ali Asif (both Pakistani nationals) and the CAF of the aforesaid number revealed that it was used by the present applicant / accused. Further, mobile phone recovered from the possession of the present applicant at the time of arrest by Punjab Police in another case, found containing Bills of Lading and other

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documents pertaining to the consignment in question and the photographs of the sim purchased by the present applicant in the name of the Jaspal Singh. 24 ltrs of heroin were imported into India from Afghanistan via Iran mixed in apple san top juice and pomegranate sun top juice. The accused has not been able to overcome the twin hurdles of Sec. 37 NDPS Act. The offence committed by the accused is grave in nature. No ground is made out for grant of bail. Hence, **the bail application of accused Kulwinder Ram @ Kinda is dismissed.**

The application is disposed off accordingly.

Copy of the order be given dasti.

(Ajay Garg)
Special Judge-NDPS/ASJ (South)
Saket Courts/13.03.2026