

04.07.2024

Present :- Ms. Mala Sharma Ld. Counsel for DRI.
Accused produced from JC with Sh.Bhaskar Dev
Konwar, Ld. Counsel.

Arguments on charge have already been heard. I
have gone through the record.

1.0 As per the allegations, on 25.04.2022, officers of
DRI acting on the basis of specific intelligence, had intercepted a
suspicious consignment at Courier Terminal of IGI Airport, New
Delhi. The said consignment of DHL Express bearing AWB No.
6851560623 was booked from South Africa and was destined to
Madhu N Asanuo, Safdarjang Village, New Delhi. Same was
opened in the presence of witnesses and on examination, 490gms
of heroin was recovered from the same which was found
concealed in a black colour folder. During the course of
investigation, accused Zaka Zhimo was apprehended and it was
revealed that there was no person by the name of Madhu N.
Asanuo and that it was the accused who had submitted fake
documents for the clearance of the consignment. It was also
revealed that the accused was regularly following up and tracking
the consignment and had also received the OTP which was
required for delivery of the said consignment.

1.1 There are allegations that on or before 25.04.2022,
the accused entered into a criminal conspiracy with one Eche @
Ichea @ Nigha (not arrested) for the purpose of import of heroin
into India and as part of the conspiracy, the consignment
containing contraband was to be delivered at his address and
the accused was to deliver the same to co-accused Eche. In

pursuance of the abovesaid conspiracy, the aforesaid consignment containing contraband heroin weighing 490gms, was imported into India, which was booked by Bokang Motseki, South Africa with consignee name Madhu N Asanuo. However, before it could be delivered, the same was intercepted by the DRI officers.

1.2 Further, the accused had submitted KYC documents i.e., Aadhar card, in the name of Madhu N Asanuo bearing his photograph and rent agreement for the purpose of clearance of the aforesaid consignment. The said documents were found to be forged. The accused had fraudulently or dishonestly used the above said forged documents as genuine, having knowledge or reason to believe the said documents to be forged.

2.0 In view of the above, prima facie offence u/s 29 r/w 23, 23 r/w 29 NDPS Act and Sec. 471 IPC is made out against the accused. Charge be framed accordingly.

Charge u/s 29 r/w 23, 23 r/w 29 NDPS Act and Sec. 471 IPC framed against the accused to which he pleaded not guilty and claimed trial.

To come up on 02.08.2024 and 05.08.2024 for PE.

Copy of the order be given dasti.

(Gaurav Gupta)
Special Judge-NDPS/ASJ (South)
Saket Courts/04.07.2024