

FIR No.75/17
P.S. Crime Branch
State V/s Brajesh Kumar Garg & Ors.

20.04.2018 (01:20 PM)

Present : Mr. K.D. Pachauri, Ld. Addl. PP for State.

Accused no.1 Brajesh Kumar Garg on bail.

Accused no.2 Ejime David produced from J/C.

Accused Sandeep is absconding despite issuance of processes u/s 82 & 83 Cr.P.C. against him. Statement of CW-1 ASI Arun Kumar qua the process u/s 83 Cr.P.C. against this accused already recorded, however, HC Devender Kumar, who executed the process u/s 82 Cr.P.C. against him is absent despite service. Issueailable warrants against him in sum of Rs.5,000/-, to be got served through ACP, Narcotics Cell, Crime Branch concerned, directing him to appear in person for his statement to this effect on 25.05.2018.

Mr. Anoop Kumar Gupta, Ld. Counsel for accused no.2.

As jointly prayed for, further arguments on charge heard today from both sides. Perused the record. In view of submissions, material placed on record and statement of witnesses, this court is of the considered view that a prima facie case u/s 29 & 21(b) NDPS Act, 1985 is made out against both the accused persons and a prima facie case u/s 14 of Foreigners Act, 1946, is also made out against accused Ejime David. Accordingly, charge framed against both the accused persons to which they pleaded not guilty and claimed trial.

Now to come up for PE on 25.05.2018. Issue summons to atleast two material PWs, along with IO and MHC(M) concerned, for the next date.

At this stage, Ld. Counsel for accused no.2 Ejime David submitted that there is second pending application on behalf of this accused dated 17.04.2018 seeking direction to Superintendent, Jail concerned, for sending this accused under custody to Nigerian Embassy for his personal interview for the purpose of his new passport. Arguments on this application heard today.

Now to come up for passing order on this application on 27.04.2018 at 02:00 PM and this file be put up before this court for this limited purpose on 27.04.2018 at 02:00 PM and accused need not to appear on that day.

(DR. SHAHABUDDIN)
ASJ/Special Judge(NDPS)
West District/THC/20.04.2018.