

**CNR:HPSH100071442022**  
**(S.Trial No. 36-S/7 of 2023/2022**  
**CIS No. 96/2022**

PW-12 Statement of Sh. Deepak Sharma, S/o Sh. Bal Krishan Sharma, R/o Village Sheel, PO Deothi, District Solan, H.P. aged about 41 years.

**On S.A.**  
**09.06.2025**

Stated that I am driver by profession. I am working as a driver in private bus no. HP14-B-7510 Shoolini Bus Service for last 6 years. I do not remember date, month, however, it was year 2022, Karan Sharma was conductor in my bus. We started from Solan to Shimla at about 3:42 pm. When at about 5:00 pm, we reached near Sonu Bangla, our bus was stopped by police personnel. Accordingly, I stopped the bus on the side of the road. Police personnel boarded the bus from rear and front door and started checking of the bus. ASI Ambi Lal alongwith other police official checked our bus from the front side and when they reached in the middle of the bus, they found one young person occupying the seat. He was asked about his travel. Police had not given any option about the search. During the search of bag of the accused, sticks shapes substance in a plastic pouch was recovered which was disclosed by the police to be chitta. I can not identify the accused due to lapse of 2-3 years. Consent memo Ext. P-28/PW-12, memo of search of accused person Ext. P-29/PW-12, memo of personal search Ext. P-30/PW-12, sample seal Ext. P-31/PW-12 and seizure memo Ext. P-32/PW-12 bears my

signatures.

At this stage, Ld. PP for the state requested to cross-examine the witness on the ground that he has resiled from his previous statement under Section 161 of Cr.P.C. Prayer is considered and allowed.

**xxx Cross examination by Sh. Devender Chandel, Ld. PP for the State.**

It is correct to suggest that on 25.08.2022, I alongwith Karan Sharma were coming in bus no. HP14B-7510 as a driver and conductor. It is correct to suggest that accused present in the court was sitting on seat no. 14. It is correct to suggest that the person occupying the seat no. 14 disclosed his name to the police Ajay Kumar. I do not remember that option of search under Section 50 of ND & PS Act was given to accused vide memo Ext. P-28/PW-12 and he opted to be searched before the gazetted officer. It is correct to suggest that thereafter, ASP Avishek S came to the spot. It is correct to suggest that before conducting the search of accused, police personnel gave their search to the accused vide memo Ext. P-29/PW-12. It is incorrect to suggest that in our presence and in the presence of ASP Avishek S, personal search of the accused was conducted. During personal search, one bag Marka Puma was recovered from the vest of accused. It is incorrect that on opening the same, one stick containing green colour plastic in the plastic pouch was recovered from the bag Marka Puma. I

**CNR:HPSH100071442022**  
**(S.Trial No. 36-S/7 of 2023/2022**  
**CIS No. 96/2022**

have heard part B to B of statement Mark D which was not given by me to the police. The recovered heroin was weighed with electronic weighing scale. I do not remember it was found to be 11.78 grams. It is correct to suggest that recovered heroin was packed as it is and thereafter, packed in a cloth parcel which was sealed with seven seals of seal impression G. It is correct that seal impressions were obtained on separate piece of cloth Ext. P-31/PW-12, on NCB form and seizure memo. I do not remember seal after its use was handed over to witness Karan Sharma. It is correct to suggest that bus ticket Ext. P-33/PW-12 was recovered from accused. I do not remember currency note of Rs. 1780/-, two tickets 30+30/- = 60/-, mobile phone, beedi bundle was also recovered from the accused. It is correct to suggest that ASI Ambi Lal prepared seizure memo Ext. P-32/PW-12 which was signed by me Karan Sharma and C. Dheeraj as a witness. Accused Ajay Kumar present in the court also signed the same. I have heard part D to D, E to E and F to F of statements Mark D which was not given by me to the police. It is correct to suggest that police also apprehended another person on the rear seat of our bus with heroin. It is incorrect that I am deposing falsely in order to save the accused. It is incorrect to suggest that accused person is known to me and I am deposing falsely at his instance. It is incorrect to suggest that I have signed the documents after understanding the same. It is correct to suggest that police had clicked the

photographs of the spot and I am visible in photographs Mark PX and PZ.

At this stage, Ld. PP for the State requested to produce one sealed parcel and one bag Marka Puma brought by LC Saroj No. 1592 vide GD no. 6, dated 09.06.2025 Ext. PZ-1, parcel is sealed with three seals of seal impression C, seven seals of seal impression G, three seals of court seal and SFSL each. Parcel MO-1 bears my signature in red circle. Request is considered and allowed.

On cutting and opening the same one polythene pouch MO-2 containing green colour polythene Mo-3 and heroin MO-4 found. I identify the same which was recovered from the accused present in court.

One bag Marka Puma MO-5 alongwith currency note of Rs. 1780/-, two tickets 30+30/- = 60/-, mobile phone, beedi bundle shown to the witness. I can not identify the bag Ext. MO-5 and also articles inside the bag. It is incorrect that I am intentionally not identifying the bag and articles inside the bag.

**xxx Cross examination by Sh. Bhoop Singh, Advocate for accused.**

There were 15-20 passengers in the bus. I can not tell which of the passenger had boarded the bus at which place. It is incorrect that no personal search was carried out in my presence. The signatures were obtained after 3-4 hours of

**CNR:HPSH100071442022**  
**(S.Trial No. 36-S/7 of 2023/2022**  
**CIS No. 96/2022**

stopping the bus. The time was at about 9-10:00 PM. All the signatures were taken simultaneously. One of the police official was in uniform and other 4-5 were in civil dress. I can not say who was sitting no. 13 & 15. I was shown the pouch Ext. MO-2 by the police. I had not seen Ext. MO-5 with the accused. I had not read the documents before signing. I do not know ASP Avishek S.

**RO & AC**

**( Vivek Sharma )**  
**Special Judge (Family Court) Shimla, HP**