



**IN THE COURT OF JUDICIAL MAGISTRATE FIRST
CLASS, 'D' COURT, MARGAO-GOA**

C.C. No. 97/AOA/NDPS/2026/D

EXHIBIT:- B-3

State of Goa
(Through Incharge
Colva Police Station)...

...Prosecution

Versus

1. Mr. Devang Gaunekar,
Son of Ulhas Gaunekar,
Date of Birth 22.08.2005, Occupation Student,
Resident of H. No. 353 B, Comba,
Near Mahila Nutan School, Margao-Goa.

2. Mr. Celester Joaquim Vaz,
Son of Fransico Xavier Vaz,
Date of Birth: 29.01.1997, Occupation: Business,
Resident of H. No. 69, Povaco, Near Gas Factory,
Nuvem, Salcete-Goa...

... Accused

SUBSTANCE OF ACCUSATION

The substance of accusation against you **Accused No. 1: Mr. Devang Gaunekar**, Son of Mr. Ulhas Gaunekar, Date of Birth: 22.08.2005, occupation: Student, Resident of H. No. 353B, Comba,

Near Mahila Nutan School, Margao-Goa; **Accused No. 2: Mr. Celester Joaquim Vaz**, Son of Mr. Fransico Xavier Vaz, Date of Birth 29.01.1997, Occupation: Business, Resident of H. No. 69, Povaco, Near Gas Factory, Nuvem, Salcete-Goa, is that on 07.08.2024 between 00.40 hours to 03.30 hours at Near Flyover Bridge, Tolleband, Benaulim, Salcete-Goa, you Accused No. 1 and 2 were caught red handed for being in an illegal possession of narcotic drugs i.e. green colour flowering and fruiting tops substance suspected to be Ganja weighing 450 grams, worth Rs. 45,000/- approximately without possessing any legal documents and thereby you have committed an offence punishable under section 20(b)(ii)(A) read with 29 of The Narcotic Drugs and Psychotropic Substances Act, 1985 (In Short NDPS Act) and the same offence is within my cognizance.

Q. Do you plead guilty or have any defences to make?

Ans: I plead guilty/not guilty.

(Signature of Accused No.1)

(Signature of Accused No.2)

Margao - South Goa.

Dated:-29.04.2026

Before me,

J.M.F.C. 'D' Court
At Margao – South Goa.

Note:- The Substance of Accusation is explained to the Accused in English/Hindi/Konkani, the language known to him and he has understood the same. His plea is recorded as per his say in presence of his Advocate.

ORDER

In view of above plea of the Accused No. 1 and 2, the Accused No. 1 and 2 stands convicted under Section 20(b)(ii)(A) read with 29 of NDPS Act, 1985 and the same offence is within my cognizance.

Accused heard on point of sentence.

Heard the Prosecutor which states that maximum punishment must be imposed on the Accused.

The Accused No. 1 and 2 stated that they wish to plead guilty as they do not wish to proceed with the matter and before explaining the Substance of Accusation; it was informed that no leniency shall be accepted. As the Accused No. 1 and 2 again reconfirmed their intention to plead guilty at the very first instance, leniency to be shown and if possible, punishment in the form of fine may be imposed.

Accordingly, Adv. Mr. S. Fernandes is appointed as Amicus Curiae in the Proceedings and inspite of explanation of the consequences, the Accused intends to plead guilty.

Considering the records and the intention of pleading guilty, imposing fine would suffice on the Accused No. 1 and 2 which will serve the end of justice and imprisonment undergone by the Accused persons to be set of accordingly as per final order.

Hence, I am now inclined to pass the following:

SENTENCE

- i) The Accused No. 1 and 2 are convicted for the offences punishable under Section 20(b)(ii)(A) read with 29 of NDPS Act, 1985 and the same offence is within my cognizance vide Section 275 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.
- ii) The Accused No. 1 is sentenced to simple imprisonment for a period of two days and to pay fine amount of Rs. 5,000/- in respect of the offence punishable under Section 20(b)(ii)(A) read with 29 of NDPS Act, 1985.

- iii) Sentence undergone by the Accused No. 1 to be set of accordingly (Date of arrest 07.08.2024 and date of release 09.08.2024).
- iv) The Accused No. 2 is sentenced to simple imprisonment for a period of one day and to pay fine amount of Rs. 5,000/- in respect of the offence punishable under Section 20(b)(ii)(A) read with 29 of NDPS Act, 1985.
- v) Sentence undergone by the Accused No. 2 to be set of accordingly (Date of arrest 07.08.2024 and date of release 08.08.2024).
- vi) Fine amount of Total Rs. 10,000/- collected forthwith to be deposited in the state treasury.
- vii) Warrant issued if any stands cancelled.
- viii) M.O. No.1 –one packed and sealed greenish colour cloth line envelope containing in it one auto-press polythene bag containing in it greenish colour grass like substance suspected to be Ganja weighing 250 grams attached under Search and Seizure Panchanama to be destroyed in terms of NDPS Act and Rules therein.
- ix) M.O. No.2- One packed and sealed greenish colour cloth line envelope containing in it one transparent polythene bag containing in it greenish colour grass like substance suspected

to be Ganja weighing 200 grams attached under Search and Seizure Panchanama to be destroyed in terms of NDPS Act and Rules therein.

- x) M.O. No. 3- Sealed greenish colour envelope containing in it one auto-press polythene packet containing in it greenish colour leafy substance suspected to be Ganja weighing 25 grams which is taken while drawing Inventory Proceedings of drawing of sample (i.e. sample-1) and certification before the Hon'ble JMFC, Margao, to be destroyed in terms of NDPS Act and Rules therein.
- xi) M.O. No. 4 – Packed and sealed greenish colour envelope containing in it one auto-press polythene packet containing in it greenish colour leafy substance suspected to be Ganja weighing 25 grams which is taken while drawing Inventory Proceedings of drawing of sample (i.e. sample-2) and certification before the Hon'ble JMFC to be destroyed in terms of NDPS Act and Rules therein.
- xii) M.O. No. 5 - Sealed greenish colour envelope containing in it one auto-press polythene packet containing in it greenish colour leafy substance suspected to be Ganja weighing 25 grams which is taken while drawing Inventory Proceedings of drawing of

sample (i.e. sample-3) and certification before the Hon'ble JMFC to be destroyed in terms of NDPS Act and Rules therein.

xiii) M.O. No. 6 - Packed and sealed greenish colour envelope containing in it one auto-press polythene packet containing in it greenish colour leafy substance suspected to be Ganja weighing 25 grams which is taken while drawing Inventory Proceedings of drawing of sample (i.e. sample-4) and certification before the Hon'ble JMFC to be destroyed in terms of NDPS Act and Rules therein.

xiv) M.O. No. 7 - Packed and sealed greenish colour envelope containing in it two transparent polythene bags containing in it greenish colour leafy substance suspected to be Ganja weighing 353 grams which the balance quantity of Ganja while drawing Inventory Proceeding of drawing sample and certification before the Hon'ble JMFC to be destroyed in terms of NDPS Act and Rules therein.

xv) M.O. No. 8 – Packed and sealed envelope containing in it two greenish colour cut empty envelope to be destroyed in terms of NDPS Act and Rules therein.

xvi) All the above mentioned M.O. properties shall be destroyed after the Appeal period is over.

xvii) Accused No. 1 and 2 to be released forthwith if not required in any other crime.

xviii) Records of CRMA/333/2025/D is attached herewith.

Pronounced in the Open Court.

Proceedings stands Closed.

Place: Margao

Dated: 29.04.2026

(Sabino Adrian Braganza)
Judicial Magistrate First Class,
'D' Court, Margao-Goa.

Af/-