

**Special Case No. 14/2021**  
**Exhibit No. 198/C**

**DEPOSITION OF WITNESS No. 9 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that :-

My name is : Himanshu Kushwah  
Age about : 37 Years,  
Occupation : Intelligence Officer, DRI Mumbai.  
Residing at : Wadala, Mumbai.

**Examination-in-Chief by Ld. Spl. APP Shri. Rushikesh Munde**  
**for prosecution.**

**01.** From September 2019 till November 2021, I was attached to C-Cell of DRI MZU, Mumbai as a Intelligence Officer. On 07/08/2020 I was on leave. I resumed my duty on 11/08/2020. When I resumed my duty I was informed by Deputy Director Yogesh Loke about seizure of 191.60Kg Heroin. The said contraband has been seized at Navkar Corporation. The contraband has been concealed in Mulethi Liquorice Roots imported in the name of Sarvim Export. He informed me about arrest of CHA Meenanath Bodake and Kondibhau Gunjal from Mumbai. He further informed me that, three more persons namely Sarvesh Bhatia Proprietor of Sarvim Export, Mohamad Nauman and Mahendra Nigam were arrested in Delhi. All three accused were brought to Mumbai from Delhi in transit remand. Three accused arrested from Delhi were granted DRI custody by Panel Court. On the request of the Deputy Director I recorded statement

of Mahendra Nigam. I issued summons to him on 14/08/2020. Now, I am shown summons issued to accused Mahendra Nigam under Section 67 of the NDPS, Act. Contents therein true and correct. It bears my signature and seal of DRI. It also bears signature of accused Mahendra Nigam. The said summons is marked as Exh.P199/PW9. While recording statement I came to know that accused Nos.4 and 5 were knowing each other since 2012 when they were in Tihar Jail. After release from Tihar jail accused Nos.4 and 5 were in contact with each other on Facebook. They exchange their phone numbers. Accused No.4 approached accused No.5 and requested godown for storing Mulethi consignment to be imported from Afghanistan. Accordingly, accused No.5 agreed to provide his godown situated at Puri Complex, Ajmeri Gate on profit sharing basis. During the statement, accused Nos. 4 and 5 both of them identified each other and placed signatures on statement of accused No.5. In March 2020, accused No.3 Sarvesh Bhatia visited the said godown and met accused Nos. 4 and 5. Accused No.5 came to know that accused Nos.3 and 4 were working together. Accused Nos.3 and 5 knew each other since 2008 when they were in Tihar Jail. I had shown photograph of Gulam Habib Afghani National to accused No.5. At that time accused No.5 told me that two Mulethi consignments in December 2019 and January 2020 reached in the said godown. At that time Gulam Habib was accompanied by accused No.4. I retrieved Gulam Habib's photo from mobile phone of accused No.4. The forensic examination was done under Vikas Yadav, Intelligence Officer, DRI Mumbai on 10/08/2020. Accused

No.5 told that he was aware about the imported consignment containing contraband Heroin.

**02.** On 15/08/2020 I again issued summons to accused No.5 under Section 67 of the NDPS, Act. Now, I am shown summons issued to accused Mahendra Nigam under Section 67 of the NDPS, Act. Contents therein true and correct. It bears my signature. It also bears signature of accused Mahendra Nigam. The said summons is marked as Exh.P. 200/PW 9. At that time accused No.5 disclosed that he was aware that accused No.4 was providing legal assistance through NGO Jay Hind Seva Kendra to Afghani and Pakistani prisoners booked under NDPS Act. Accused No.5 had doubt about the activities of accused No.4. However, due to financial difficulties he choose to work with accused No.4. Accused Nos.3 and 5 identified each other and placed their signatures on statement. I can identify accused Nos. 3 and 5. Today accused Nos. 3 and 5 are available on V.C. Accused No.4 is dead.

On the oral request of the Spl.PP. further chief-examination is deferred till next date.

R.O.A.C.

Panvel.  
Dated : 18/03/2026.

(Santosh R. Chavan)  
Addl. Sessions Judge, Panvel-Raigad.