

MHRG170010092025



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, PANVEL
RAIGAD
AT : PANVEL
ORDER BELOW EXHIBIT NO.6 IN SPECIAL CASE NO.127/2025
(PASSED ON 27/03/2026)

The applicant Mamta Sadashiv Owalekar has moved present application seeking directions for unsealing of flat No.102, Sadanalini Residency, Plot No.42, Sec.24, Ulwe, Navi Mumbai, which was sealed by the investigating officer in connection with C.R.No.10/2025 registered with NCB, Mumbai for the offences p/u/sec.8(c), 21(b) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.

2] It is the case of applicant that she is owner of above mentioned flat. The investigating agency has sealed her flat during the investigation of C.R.No.10/2025. Further it is case of applicant that she had given the said flat on rental basis to one Aisha Nokafeero. The said flat has no concern with the crime in question. She does not know accused Chinedu Stanley Onyeka. Further it is case of applicant that she came to know from the statement of accused Chinedu Stanley Onyeka that he was knowing Aisha Nokafeero and he used to visit her flat to give

some quantities of Cocain to her. Only because of 20 gms Cocain came to be seized from her flat, the investigating agency sealed the flat. It is the case of applicant that the said flat is her only earning source. If the said flat is not unsealed, she will sustain economical loss. She will face starvation like situation and it will be difficult for her to survive. Hence, it is prayed by applicant that the above mentioned flat sealed by investigating agency be unsealed. The applicant undertakes that she is ready to abide by the terms and conditions which may be imposed by the Court.

3] The NCB resisted the application by filing say at Exh.11. It is stated that the flat in question came to be seized during investigation of serious offence. The prime accused Chinedu Stanley Onyeka and his associates who are foreign Nationals involved in narcotic drug trafficking were found residing in the said flat. They were operating their business from the said flat. The Cocain of 20 gms came to be seized from the flat in question. In such circumstances, if the said flat is unsealed, the applicant will again give said flat on rent to other foreign nationals without procuring valid documents from them. Hence, it is prayed by opponent that, the application be rejected.

4] Heard Ld. Advocate Smt. Kavita Singh for the applicant and Ld. Spl PP Shri C. J. Irani for the NCB, Mumbai. Perused application and say filed by opponent NCB at Exh.11. Both Ld.

Advocates have made their respective submissions on the line of averments made in the application and say respectively.

5] Having given thoughtful consideration to the rival submissions, I have gone through the material placed on record. It is pertinent to note that, the investigating agency has sealed the flat in question only because of 20 gms of Cocain came to be seized from the said flat. The applicant has placed on record her leave and license agreement. After going through said leave and license agreement it appears that the applicant had given the flat in question on rent for the period of 01/08/2024 to 31/07/2025 to one Aisha Nokafeero. The applicant has no concern with the accused Chinedu Stanley Onyeka. The investigating agency has sealed the flat in question on 27/03/2025. the flat in question is earning source of applicant. The investigation is complete and charge-sheet has been submitted in the Court. Nothing is to be recovered from the flat in questio. In such circumstances, no purpose will be served by keeping the flat in question under seal for further period. Resultantly, I pass the following order.

ORDER

1. The application is allowed.
2. The investigating officer, NCB, Zonal Unit is directed to unseal flat No.102, Sadanalini Residency, Plot No.42, Sec.24, Ulwe, Navi Mumbai, forthwith.

3. The applicant Mamta Sadashiv Owalekar shall not induct any tenant or make any structural changes in the flat in question without prior intimation to the NCB, Mumbai/Court until conclusion of the trial.
4. The applicant shall extend full co-operation to the NCB, Mumbai and ensure that the flat in question is available for inspection whenever required.

Panvel
Date :- 27/03/2026

(S. R. Ugale)
Special (NDPS) Judge,
Panvel.

CERTIFICATE

I affirm that, the contents of this PDF file Judgment/Order are same, word to word, as per the original Judgment/Order

Name of Stenographer : Sau.S.J. Sheth Stenographer
(Grade-I)
Name of Court : District Court -1 & Additional
Sessions Court, Panvel-Raigad
Date of dictation (Direct) : 27/03/2026
order checked and signed
by PO on : 30/03/2026
Order uploaded on : 30/03/2026