



DATED THIS THE 6th OF JULY 2026

Spl.C (NDPS) No.207/2022

Vs.

Accused :

1. Sagar Shindhe S/o Anand Rao,
Aged about 27 years, painter,
R/o. Jannapura, Velur Shed,
Bhadravathi taluk.
2. Bharath S/o Krishnegowda H.M,
Aged about 24 years,
Labourer in Sai Garments,
R/o. Doddagoppenahalli village,
Bhadravathi taluk.
3. Gopinath @ Gopi S/o Y. Nagaraj,
Aged about 29 years, Agriculturist,
R/o Karakuchchi (A) village,
Lakkavalli post, Tarikere taluk,
Chikkamagalur District.

4. Abhishek @ Abhi
S/o. Chandrashekhhar T.P @
Chandranna, Aged about 33 years,
Agriculturist, R/o Ambedkar Nagar,
Gallihalli Cross, Near Tarikere town.

(A-1, 2 & 4 by Sri Ashok M.V, Advocate)
(A-3 by Sri JVR, Advocate)

1.	Date of commission of offence	09.08.2021
2.	Date of report of offence	09.08.2021
3.	Arrest of the accused	A-1 to 3 arrested on 09.08.2021 and A-1 is released on bail on 13.06.2022 as per the order passed by the Hon'ble High Court of Karnataka, Bengaluru, in Criminal Petition No.4540/2022. A-2 released on bail on 30.06.2022 as per the order passed by this court. A-3 released on bail on 15.06.2022 as per the order passed by this court. A-4 arrested on 15.08.2021 and released on bail on 15.06.2022 as per the order passed by the Hon'ble High Court of Karnataka, Bengaluru, in Criminal Petition No.3678/2022.
4.	Name of the complainant	Sri. Sahil Bagla, I.P.S, ASP, Bhadravathi Sub-Division, Bhadravathi.

5.	Date of commencement of recording of evidence	10.06.2025
6.	Date of closing of evidence	13.05.2026
7.	Offences complained of	Section 20(b)& 27(A) of NDPS Act, 1985 and Section 482 of IPC.
8.	Opinion of the Judge	Accused No.1 to 4 found not guilty and are acquitted.

J U D G M E N T

Bhadravathi taluk, Rural Police have filed the charge sheet against the accused for the offence punishable under Section 8(C), 20(B)(ii)C, 27(A) of Narcotic Drugs & Psychotropic Substances Act, 1985 (for short NDPS Act) and Section 482 of IPC.

2. In brief, case of the prosecution is as follows:

On 09.08.2021 around 10.45 p.m., as per the credible information received by CW1-Sri Sahil Bagla, IPS, ASP, Bhadravathi Sub-Division, regarding illegal transportation of ganja by the accused in a car on Chennagiri-Bhadravathi road. Accordingly, when himself along with his staff and panchas intercepted golden grey colour Chevrolet Tavera car bearing registration No.KA-05-MD-6430 on the aforesaid road and on inspection, they found that the accused No.1 to 3 were

illegally transporting the ganja and were in possession of ganja weighing 23 kgs., 216 grams. Upon enquiry, the accused No.1 to 3 disclosed that they purchased the same from Andhra Pradesh upon the instructions of accused No.4. They further disclosed that accused No.4 has financed Rs.35,000/- through Google-pay from his A/c of Canara bank, Tarikere branch to the Bhadravathi Jannapura Branch Canara Bank A/c of accused No.1 towards their travelling expenses for purchase of ganja from Andhra Pradesh. They also noticed that accused No.4 used the fake number mark i.e., fake number plate to the aforesaid car in stead of its original registration number which belongs to CW19 and which was obtained on rent basis on the pretext of his friends going to Tirupathi temple. They apprehended the accused No.1 to 3. Thereafter, he has seized said ganja and also taken sample ganja in the presence of witnesses and drawn a mahazar and on the basis of report filed by him, a case was registered in Crime No.161/2021 and transmitted FIR to the court. The Investigating Officer has continued the investigation and subjected the seized ganja for P.F list and produced the same for inventory examination before the JMFC, Bhadravathi. The sample ganja was sent for chemical examination. After

receiving the chemical analysis report and completion of investigation, CW34 filed the charge sheet before this court.

3. This court took the cognizance and arrested accused No.1 to 4 were remanded to J.C. Thereafter, they are released on bail and the accused was provided with the copies of charge sheet and its enclosures.

4. This court heard the accused on framing of charge and having found prima facie materials, charge was framed against the accused for the offence punishable under Section 20(b) and 27(A) of NDPS Act, 1985 and Section 482 of IPC. The accused pleaded not guilty and claims to be tried.

5. In an attempt to prove the guilt of the accused, prosecution examined 16 witnesses as PW1 to 16 and got marked Ex.P1 to 68 documents and 56 material objects as MO1 to 56.

6. The statement of the accused as provided under Section 313 of Cr.P.C., is recorded. They denied all the incriminating evidence appearing against them and not offered any defence evidence on their behalf.

7. Heard the arguments of both parties.
8. The points that arisen for consideration are:
 1. **Whether the prosecution proves beyond all reasonable doubt that on 09.08.2021 around 01.45 p.m., as per the credible information received, when CW1-Sri Sahil Bagla, ASP, Bhadravathi Sub-Division, along with his staff and panchas, intercepted and inspected Chevrolet Tavera car bearing registration No.KA-05-MD-6430, near Kudligere village, on Chennagiri-Bhadravathi road, accused No.1 to 3 were found illegally transporting the ganja in the said car and in possession of ganja weighing 23 kgs., 216 grams which was purchased from Andhra Pradesh, upon the instructions given by accused No.4, for the purpose of sale, in order to have wrongful gain and thereby accused have committed the offence punishable under Section 20(b) of NDPS Act, 1985?**
 2. **Whether the prosecution further proves beyond all reasonable doubt that on the aforesaid date, time and place, accused No.4 was found**

indulged in financing Rs.35,000/- through Google-pay from his Canara Bank A/c No.0697101032643, Tarikere Branch to the Canara Bank A/c. No.4837101008686 of Jannapura Branch, Bhadravathi town, belongs to accused No.1 towards traveling expenses to Andhra Pradesh to accused No.1 to 3 for purchasing aforesaid ganja from a person situated at Andhra Pradesh and thereby accused have committed the offence punishable under Section 27(A) of NDPS Act, 1985?

- 3. Whether the prosecution further proves beyond all reasonable doubt that on the aforesaid date, time and place, accused No.4 for the purpose of illegally purchasing ganja, used the fake property mark i.e., fake number plate bearing No.KA-05-MD-6430 to the aforesaid car in stead of its original registration No.KA-01-AC-0392 belongs to CW19 obtained by accused No.4 on 03.08.2021 on rent basis near the areca garden bearing Sy.No.43/4 of Haliyuru village in Tarikere taluk, on the pretext of his**

**friends going to Tirupathi temple,
with an intention to defraud him and
thereby accused have committed the
offence punishable under Section
482 of IPC?**

4. What Order?

9. My answer for the above points is as follows,
because of my below discussed reasons:

Point No.1: IN THE NEGATIVE

Point No.2: IN THE NEGATIVE

Point No.3: IN THE NEGATIVE

Point No.4: AS PER THE FINAL ORDER

REASONS

10. **Point No.1 to 3**:-To avoid repetition of facts, all these points are taken together for discussion. The allegation against these accused is that they were indulged in illegally transporting the ganja in the vehicle and found in possession of ganja weighing 23 kgs., 216 grams for the purpose of sale. When ASP, Bhadravathi Sub-Division, along with his staff and panchas intercepted the car and searched the vehicle, they found accused No.1 to 3 were in illegal possession of aforesaid ganja on 09.08.2021 around 01.45 p.m., near Kudligere

village, on Chennagiri-Bhadravathi road, upon the instructions of accused No.4 for purchase of said ganja from Andhra Pradesh. Accused No.4 was found to have indulged in financing Rs.35,000/- to the accused No.1 as travelling expenses to Andhra Pradesh for purchase of ganja and also used the fake number mark to the aforesaid car.

11. Sri. Sahid Bagla, who is examined as PW6, was working as Additional Superintendent of Police at Bhadravathi Town, from 04.06.2021 to 17.11.2021. He has deposed that on 09.08.2021 around 11.50 a.m., he received credible information that in a car bearing registration No.KA-05-MD-6430, some persons are transporting ganja. Accordingly, he instructed PW15-Sri Chaitanya, who was the Police Inspector at Bhadravathi Rural Police Station to arrange for a temporary check post. He further directed his staff members to record the said information in the case diary. He sent requisition to send two panchas as per Ex.P35. Nagaraj and Sathish Gowda who are examined as PW1 and 2 were present before him agreeing to participate in the raid. PW6 has issued notice to them as per Ex.P27. Thereafter, the team members of PW6 and PW2 and 3 panchas went near the spot. Around 01.45

p.m., as per the version of PW6, one Chevrolet Tavera car came from Channagiri side towards Bhadravathi. PW6 stopped the car. There were three inmates who are accused No.1 to 3 in the car. PW6 informed accused No.1 to 3 whether they can be personally searched by himself or before the Magistrate. Accordingly, he served notices as per Ex.P36 to P38. Thereafter, accused agreed for personal search by PW6 himself. PW6 initially examined the car and found two Vimal bags. When two bags were opened, he found 46 packets weighing 23 kgs., 200 grams of ganja. At para.4, PW6 has deposed that at the time of raid, search and seizure itself, he has seized **24 grams each from 46 packets** for sample purpose. Accordingly, he has seized the sample packets separately. The remaining ganja was sealed in a big bag. He has further deposed that on personal search of accused No.2, he found a mobile phone and a sum of Rs.40/-. A sum of Rs.500/- and a mobile phone was found with accused No.1 and one mobile phone was found with accused No.3. PW6 has deposed that he has seized the above material objects by drawing a mahazar as per Ex.P1 and his signature is marked at Ex.P1(d). He has identified MO1 to 53. He has identified Ex.P2 to P25 photos taken at that time. He went to the police

station and gave report to the SHO as per Ex.P39. The Station House Diary entry is marked at Ex.P40.

12. PW1-Nagaraj, who was working as a Police Constable during 2016 to 2022 at Bharavathi Rural Police Station, is examined as PW1. He has supported the case of prosecution. He is a raiding party along with PW6. He has identified accused No.1 to 3. He has correctly stated the car number. PW1 at para.6 of the evidence, has deposed like this 'CW1(PW6) took 24 grams of ganja from each of 46 packets as sample, packed and sealed it separately'. At para.8, this PW1 has deposed about drawing of mahazar as per Ex.P1 and his signature is marked at Ex.P1(a). He has identified Ex.P2 to P25 photos. In the next two lines, he has deposed like this 'I will identify sample ganja packets seized from the spot while drawing mahazar'. Those sample ganja packets are marked as **MO1 to 46**. Two Vimal packets are marked as MO47 and 48 in his evidence. Accordingly, in the evidence of PW1, three mobile phones seized from the accused are marked at MO49 to 51. A sum of Rs.500/- and Rs.40/- are marked at MO52 and 53.

13. PW2-Sathish Gowda, is Secretary of Kudligere Grama Panchayath and is another witness to Ex.P1 mahazar. His signature is marked at Ex.P1(b). He has supported the case of prosecution. He has identified the accused. He has identified the photos. He has identified the material objects. Like PW6 and 1, this PW2 have deposed that sample ganja was drawn at the spot itself and sample packets are marked at MO1 to M46. This evidence of these three witnesses is against Section 52(A) of NDPS Act. Because, as per Section 52(A) of NDPS Act, sample contraband has to be seized before the learned Judge while conducting inventory examination. It is the learned Magistrate who has to certify about the correctness of the ganja produced and sample seized before him. But in the case on hand, as per the evidence of these three witnesses, sample ganja for the purpose of FSL examination is seized at the time of raid which is against the provisions of NDPS Act. It is necessary at this stage to refer the evidence of PW15-Chaithanya, the Police Inspector at the relevant point of time at Bhadravathi Police Station. PW15 has deposed that on 09.08.2021 PW6 gave him a report as per Ex.P39, he registered a case against the accused and transmits FIR to the court as per Ex.P52. PW15

has deposed that he has subjected the produced contraband to property list and produced the accused to the court through remand application. At para.3 of his examination, he has further deposed like this 'ದಿನಾಂಕ: 11.08.2021 ರಂದು ಇನ್ವೆಂಟರಿ ಮಾಡಲು ನ್ಯಾಯಾಧೀಶರಿಗೆ ಮನವಿ ಮಾಡಿದ್ದೇನೆ. ಆ ಸಮಯದಲ್ಲಿ, 25 ಗ್ರಾಂ ತೂಕದ 46 ಗಾಂಜಾ ಮಾದರಿಗಳನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ಸಂಗ್ರಹಿಸಿ, ಪ್ಯಾಕ್ ಮಾಡಿ, ಸೀಲ್ ಮಾಡಿದ್ದೇವೆ. ಮಾದರಿ ಗಾಂಜಾಗಳನ್ನು ಈಗಾಗಲೇ ಮುಮಾ.1 ರಿಂದಾ 46 ಎಂದು ಗುರುತಿಸಲಾಗಿದೆ'. The evidence of PW15 is very shocking. Because, the material objects MO1 to 46 are marked in the evidence of PW6, PW1 and PW2. They have specifically deposed before the court that MO1 to 46 the samples of ganja were drawn by PW6 in the presence of PW1 and 2 on 09.08.2021 while drawing Ex.P1 mahazar. The very same MO1 to 46 is produced before the learned JMFC on 11.08.2021 by PW15 for drawing sample. Therefore, it is very difficult to accept the case projected by the prosecution.

14. PW1 in his cross-examination, at para.6, has deposed like this 'Police have affixed chit containing their signature on those sample ganja packets'. But PW6 in his cross-examination at para.8, has deposed like this 'ಮುದ್ದೆಮಾಲುಗಳ ಮೇಲೆ ಪಂಚರು ಸಹಿ ಮಾಡಿದ ಚೀಟಿಗಳನ್ನು

ಅಂಟಿಸಿಲ್ಲ ಎಂದರೆ ಸರಿ'. PW6 is the raiding party who is an Additional Superintendent of Police. He has deposed that the chit containing signatures of panchas was not affixed on MO1 to 46. PW2 has deposed that they have obtained the signatures of panchas and same were affixed on MO1 to 46. On verifying MO1 to 46, no such chits are affixed on them.

15. In the case on hand, PW6 is an Investigating Officer. In fact, he has received credible information and started investigation. He secured panchas and proceeded to the spot. He alone stopped the vehicle and seized contraband from accused No.1 to 3 by drawing a mahazar as per Ex.P1. But as per the evidence of PW6 himself, he acted as a Gazetted Officer also. PW6 has deposed that he introduced himself to accused No.1 to 3 and asked their consent for personal search on the premise that he is a Gazetted Officer. Whether this is permissible under law is considered by our Hon'ble High Court of Karnataka in **Criminal Petition No.1985/2025 dated 27.03.2025 between Sinu Vs. Union of India**. In this case, our Hon'ble High Court considered the judgment of the Hon'ble Supreme Court rendered in Paramanand's case, wherein at para.19 and 20,

the Hon'ble Apex Court observed that a raiding party cannot be equated as an Independent Officer. It is further explained that the rigor of Section 50(1) is to provide an opportunity for the accused for personal search before an Independent Officer.

16. In the case on hand, PW6 is the Investigation Officer, he may be a Gazetted Officer, but he cannot act as an Investigation Officer and a Gazetted Officer. Therefore, the evidence of PW6 is hit by Section 50(1) of NDPS Act. The learned counsel for the accused, has relied upon the judgment rendered in **Criminal Appeal No.100297/2018 between Abbas Ali Ameen Jatka @ Jatakar Vs. State of Karnataka**. As per the facts of said case, raid was conducted on 31.03.2017. But the contraband was reported to the court only on 01.04.2017. Our Hon'ble High Court observed that the delay in submitting Property Form to the court has not been explained by the Investigation Officer. Accordingly, it is held that it is non-compliance of Section 50(5) of NDPS Act. It is further observed by the Hon'ble High Court that after seizure of the property from the custody of accused, the Investigation Officer has to issue an endorsement to the accused as

required under Section 100(7) of Cr.P.C. Accordingly, the conviction against the accused in the said case was set aside.

17. In the case on hand also, there is non-compliance of Section 50(5) of NDPS Act and Section 100(7) of Cr.P.C. In the case on hand also, there is two days delay in submitting property list to the court. In the case on hand also, PW6 has not given any endorsement to accused No.1 to 3 after seizure of ganja. PW1, PW2 and PW6 in their cross-examination, have deposed that mahazar was not drawn at the place where the car was seized. All the three witnesses have repeatedly deposed that panchayath from the spot where the car was stopped is situate at a distance of 30 meters. The reason stated by PW1 and 2 is that as car was stopped on the middle of the road, it was not possible to conduct mahazar on the middle of the road. But the same is not reflected in Ex.P1 mahazar. As per the standard rules prescribed under NDPS Act, the Investigation Officer has to draw mahazar from where the ganja was seized. The same has been highlighted in the judgment rendered by the **Hon'ble High Court Judicature for Rajasthan at Jodhpur in Bail Application No.8680/2024 between Kuka Ram Vs. State of**

Rajasthan. At para.9 of the judgment, it is repeatedly held that the Seizure Officer did not prepare seizure memo at the spot. Therefore, it is held that the same is against standing instruction No.1/88 issued by the Narcotic Drug Control Bureau as per Clause.I(5). As per the said clause, the contraband must be drawn on the spot of recovery, in the presence of panch witnesses and the person from whom and from whose possession, the drug is recovered and a mention to this effect should be invariably in the panchanama drawn at the spot. In view of these infirmity and flaws, it is difficult to accept the evidence of PW1 and 2, PW6 and PW15.

18. Veerappan S/o Chinnaswamy is examined as PW3. He has deposed that on the material date, he provided weighing machine to the police. In his presence, the ganja packets were weighed. According to him, the police have seized 24 grams of ganja from each 46 packets and sealed it separately. He signed to the mahazar as per Ex.P1(c). In the chief examination, he has deposed that police told him that there is ganja in the packets. It is the police themselves have informed him that three accused persons were carrying ganja. But he is not a witness to the same. In the cross-examination,

in the 2nd line, he has deposed that he had no personal information about the articles, which are weighed in my presence. In the next line, he has deposed that he does not know the contents of Ex.P1 mahazar.

19. PW4-Lingaraju and PW5-Ramesh are the witnesses to Ex.P30 mahazar. The signatures of these witnesses are marked at Ex.P30(a) & (b). Both of them in their chief examination, have deposed that they have signed to the said mahazar on the request of police about 4 years ago in the police station. Both of them have denied the contents of Ex.P30 mahazar. They have identified the photos which are marked at Ex.P31 to P34. But they are not aware why those photos are taken. It is suggested to both the witnesses that on 15.08.2021 the police have summoned both of them to the police station and that in the police station, accused No.4 was present and he confessed that if the police and panchas come along with him, he will show the duplicate number plates hidden by him in his land bearing Sy.No.43/4. It is suggested that accused No.4 took the police and panchas to Sy.No.43 of Tarikere village and shown duplicate number plate. But the same is denied by PW4 and 5.

20. PW7-Giriyappa is a Senior Executive Engineer, who has prepared Ex.P1-Sketch on the request of the Investigation Officer.

21. PW8-Mohammed Rafiq, resident of Bhadravathi, PW9-Harish, resident of Bhadravathi and PW14-Avinash, resident of Bengaluru, are the witnesses for Ex.P44 mahazar. Their signatures are marked at Ex.P44(a) to (c). All the three witnesses have turned hostile to the case of prosecution. They denied the contents of Ex.P44 mahazar. They have deposed that the police have not seized any article in their presence. However, the photographs are marked at Ex.P45 to P47 in their evidence. It is suggested to all of them that on 30.09.2021 accused No.4 has produced his mobile before the Investigation Officer and the Investigation Officer has seized the same by drawing a mahazar as per Ex.P44. But all of them have denied the suggestions from the side of prosecution.

22. PW10-Kumari. Thejaswini is a System Operator, working at Taluk Office, Tarikere. As per her evidence, she has issued RTC pertaining to the land bearing Sy.No.43, which is standing in the name of Avinash and Abhishek. It is

suggested to her that Avinash and Abhishek are not in possession of the said land and the same is denied.

23. PW11-Suresh, Manager of Canara Bank, has given evidence saying that he has supplied the account extract of accused No.1 for the period from 01.08.2021 to 07.08.2021, which is marked at Ex.P49. It is suggested to PW11 that Ex.P49 is not a certified copy. But the same is denied. In fact, Ex.P49 is not a certified copy.

24. PW12-Lingaswamy, is the Manager of Canara Bank at Tarikere Branch, who had issued Ex.P50 the account extract pertaining to accused No.4-Abhishek for the period commencing from 05.08.2021 to 17.08.2021. It is suggested to him that Ex.P50 is not a certified copy and the same is denied. But Ex.P50 is not a certified copy.

25. PW13-Sri Avinash is a Senior Scientific Officer working at Davanagere since 2014. He has deposed that on 12.08.2021 he received 46 articles from the complainant police station. Upon opening the articles, he found ganja containing stem, leaves, flowers and seeds. He has examined the articles and opined that it is ganja. Accordingly, he gave report as per Ex.P51 and his signature is marked at

Ex.P51(a). The sample seal is marked at Ex.P51(b). He has deposed in the cross-examination that the examination was commenced on 02.11.2021 and was concluded only on 29.12.2021. He denied a suggestion that he gave false report as per Ex.P51.

26. PW16 was working as a Police Inspector at Shivamogga Control Room from 2015 to 2025. On 09.08.2021 he received information about transporting ganja in a Chevrolet car. He passed on the said information to Rural Police Station. He was informed to arrange for a temporary check post near Kudligere. PW16 has deposed that the said information is mentioned in the Log Books as per Ex.P56 and P57. It is suggested to him that both Ex.P56 and P57 are created and the same is denied.

27. Upon considering the entire evidence on record, the court is of the opinion that the prosecution has failed to establish its case against the accused persons. I have assigned detailed reasons with regard to non-compliance several provisions of NDPS Act. I have also relied upon the ratio laid down by the Hon'ble High Courts. In the case on hand, samples were drawn at the time of raid. The very same

samples were drawn again before the JMFC. This procedure adopted by the Investigation Officer is not on the correct side. Accordingly, this court answered Point No.1 **in the Negative.**

28. **Point No.2**:-In view of findings on the above point No.1, proceed to pass the following:

O R D E R

Accused No.1 to 4 are not found guilty.

Acting under Section 235(1) of Cr.P.C, the accused No.1 to 4 are acquitted from the charges levelled against them for the offence punishable under Section 20(b) and 27(A) of NDPS Act, 1985 and Section 482 of IPC.

The bail bonds of accused and their sureties shall stand cancelled after 6 months from the date of this judgment.

MO1 to 46 Sample Ganja are ordered to be sent to the Drugs Disposal Committee for destruction, MO47, 48, 54 and 55 being worthless, are ordered to be destroyed and MO49 to 53 and 56 are ordered to be

**confiscated to the State, after the
appeal period.**

(Dictated to the Stenographer Grade-I, after transcription, corrected and then pronounced by me in the Open Court on this **6th day of July 2026**)

**(Manjunatha G.A),
Prl. District & Special Judge
Shivamogga.**

A N N E X U R E

Witnesses examined on behalf of the prosecution:

PW1	Nagaraj
PW2	Sathish Gowda
PW3	Veerappan
PW4	Lingaraj
PW5	Ramesh
PW6	Sahid Bagla
PW7	Giriyappa
PW8	Mohammed Rafiq
PW9	Harish
PW10	Thejaswini
PW11	Suresh
PW12	Lingaswamy
PW13	Vinod
PW14	Avinash
PW15	Smt. Chaitanya
PW16	Sathish Kumar

Witnesses examined on behalf of the accused:

Nil

Documents got exhibited on behalf of prosecution:

Ex.P1 Seizure mahazar
Ex.P1(a) Signature of CW5
Ex.P1(b) Signature of CW12
Ex.P1(c) Signature of CW13
Ex.P1(d) Signature of CW1
Ex.P2 to
Ex.P25 24 photos
Ex.P26 Report
Ex.P27 Notice
Ex.P27(a) Signature of CW12
Ex.P27(b) Signature of CW1
Ex.P28 Sample seal
Ex.P29 Notice
Ex.P29(a) Signature of CW14
Ex.P30 Panchanama
Ex.P30(a) Signature of CW4
Ex.P30(b) Signature
Ex.P31 to
Ex.P34 4 photos
Ex.P35 E.O Notice
Ex.P35(a) Signature of CW1
Ex.P36 to
Ex.P38 Three notices
Ex.P36(a) to
Ex.P38(a) Signature of CW1
Ex.P39 Report
Ex.P39(a) Signature of CW1
Ex.P40 Station House Diary

Ex.P41	Rough sketch
Ex.P42	Covering letter
Ex.P43	Notice
Ex.P43(a)	Signature of CW16
Ex.P44	Panchanama
Ex.P44(a)	Signature of CW8
Ex.P44(b)	Signature
Ex.P44(c)	Signature
Ex.P45 to	
Ex.P47	3 Photos
Ex.P48	RTC Extract
Ex.P49 to	
Ex.P50	Bank Statement
Ex.P51	RFSL report
Ex.P51(a)	Signature of PW13
Ex.P51(b)	Sample seal
Ex.P52	FIR
Ex.P53	Report to S.P
Ex.P54	Inventory
Ex.P55	8 Photos
Ex.P56	Log book
Ex.P57	Letter
Ex.P58	Voluntary statement of accused No.4
Ex.P58(a)	Signature of accused No.4
Ex.P58(b)	Signature
Ex.P59	'B' Register Extract
Ex.P60	'B' Register Extract
Ex.P61	Notice
Ex.P61(a)	Signature

Ex.P62 to

Ex.P65 Call records of Jio and Airtel Companies

Ex.P66 Certificate u/Sec.65(B) of Evidence Act

Ex.P66(a) Signature of CW34

Ex.P67 &

Ex.P68 Certificate u/Sec.65(B) of Evidence Act

Ex.P67(a) &

Ex.P68(a) Signatures of CW34

Documents exhibited on behalf of the Accused:

Nil

Material objects marked on behalf of Prosecution:

MO1 to 46 Sample ganja

MO47 &

MO48 Two Vimal bags

MO49 to

MO51 Three mobile phones

MO52 Cash of Rs.500/-

MO53 Cash of Rs.40/-

MO54 &

MO55 Two number plates

MO56 Mobile phone

**(Manjunatha G.A),
Prl. District & Special Judge
Shivamogga.**

Judgment pronounced in the open court
(vide separate judgment)

ORDER

Accused No.1 to 4 are not found guilty.

Acting under Section 235(1) of Cr.P.C, the accused No.1 to 4 are acquitted from the charges levelled against them for the offence punishable under Section 20(b) and 27(A) of NDPS Act, 1985 and Section 482 of IPC.

The bail bonds of accused and their sureties shall stand cancelled after 6 months from the date of this judgment.

MO1 to 46 Sample Ganja are ordered to be sent to the Drugs Disposal Committee for destruction, MO47, 48, 54 and 55 being

worthless, are ordered to be destroyed and MO49 to 53 and 56 are ordered to be confiscated to the State, after the appeal period.

**Prl. District & Sessions Judge,
Shivamogga.**