

SPECIAL NDPS COURT, PULWAMA

CNR No: JKPL01-001111-2021

Date of Instt.: 25-11-2021

Registration No: 96/2021

Date of Order: 03-04-2026

In the case of:-

Name of Complainant

UT of J&K through FIR No. 78/2021 P/S Pampore.

Offence(s) Punishable Under Section(s) 8/20 of NDPS Act.

Through: Ld. Special Public Prosecutor

Versus

Name of Accused Person(s)

Lateef Ahmad Wani S/o Ghulam Mohammad Wani R/o Kadlabal, Pampore.

Through: Advocate Javid Munawar & Associates.

CORAM: Manzoor Ahmad Zargar
UID No. JK00155
Special Judge (NDPS), Pulwama

ORDER

1. The (above-captioned) challan is listed today for hearing.
2. Accused along with counsel present.
3. The cursory glance of the (instant) case demonstrate that the (instant) case is also triable by the Magisterial court as per Section 36-A (1)(a) of the NDPS Act, 1985 and the (said) section provides that all the offences under the (said) Act which are punishable with imprisonment for a term of more than 3 years shall be exclusively triable only by the Special Court and as per the mandate of Section 36-A (1)(a) of the NDPS Act, 1985 read with Section 4(2) and Section 5 of the Bharatiya Nagarik Suraksha Sanhita, 2023, it is quite clear that the offences under the NDPS Act which are not punishable with imprisonment of more than 3 years are to be tried by the Magisterial courts (including Judicial Magistrate of the first Class) and for such purpose the provisions of Bharatiya Nagarik Suraksha Sanhita, 2023 are to be generally followed, except where expressly excluded or applied with further modifications under the NDPS Act, 1985.
4. In light of the legal position as enumerated under section 36-A(1)(a) of NDPS Act read with Section 4(2) and Section 5 of the Bharatiya Nagarik Suraksha Sanhita, 2023, it appears that the Magisterial courts (including the courts of Judicial Magistrate of the first Class) may try the (instant) case.
5. Accordingly, the (instant) case is transferred to the court of **Ld. Judicial Magistrate 1st Class, Pampore** for disposal under law and be listed therein on **16th Day of April-2026**.
6. Accused is accordingly directed to cause his appearance before the transferee court on the scheduled date.
7. The Ld. Special Public Prosecutor is directed to convey the next date of hearing to the concerned Public Prosecutor well in time.
8. The Criminal clerk (of this court) is directed to comply the (instant) order and transmit the index along with a copy of the (instant) order to records.

Announced
03-04-2026

Manzoor
Ahmad Zargar

**SPECIAL JUDGE (NDPS),
PULWAMA**

Digitally signed by Manzoor
Ahmad Zargar
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