

**In the Court of Special Judge (under NDPS ACT)-cum-Additional District & Sessions Judge
3rd Court, Dakshin Dinajpur at Balurghat.
Special Case No. 99 of 2022 (CIS NO-182/2022)
CNR Number : WBDD01-002853-2022**

Present: Shri. Ajayendra Nath Bhattacharya, Special Judge (under NDPS ACT)-cum-Additional District & Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat. (JO Code : WB00819)

Ref: Gangarampur P.S.Case No. 560/2022 dated 02.12.2022 U/s 21(c)/22(c)/23(c)/27A/28/29 of NDPS Act, 1985.

ORDER NO. 21
23-06-2023

Accused person namely Debendra Ahuja @ Chintu Ahuja is production from Malda Correctional Home on the strength of production warrant.

He is shown arrested in this case and taken into custody.

A petition is filed on behalf of the accused person praying for direction upon the investigating agency to disclose the details of all the cases which are pending against the present accused or the cases in which he may be wanted in future. Copy served. The said petition is taken up for hearing.

Heard both sides. Considered.

In my humble opinion I do not find any merit in the said prayer made by the accused person. The accused is aware about all the cases pending against him and as such no question arises of submitting the details of those cases to him. So far the cases in which he may be wanted in future, it is very difficult to state at this stage as to whether the involvement of this accused in any other case will transpire in future or not and as such no details of those probable future cases, is any, can be ascertained at this stage.

Another petition is filed on behalf of the accused person praying for supplying him necessary document that may be relied by the prosecution against him in the trial of this case u/s 207 CrPC.

Heard both sides. Considered.

It may be noted that at this stage no final report has been submitted against this accused person in this case as the investigation regarding his involvement in the present case is at a budding stage. The question of supply copies to the accused person u/s 207 CrPC will only arise if CS is submitted against this accused person and court take cognizance of such CS. Accordingly, the said prayer of accused person is also rejected.

A bail petition along with vakalatnama is filed for accused person upon serving copy.

Ld. Advocate prays for bail of the accused on the grounds of non-absconion which is opposed by the Ld. P.P.

Upon consideration of the submission of both sides and considering the mandatory bar under the provision of NDPS Act, the prayer for bail of accused Debendra Ahuja @ Chintu Ahuja is hereby **rejected**.

The prayer for PC is now taken up for hearing.

CD is produced. I.O is present. Heard I.O. Heard the Ld. Adv for both the sides. Perused the decision of Jigar vs State of Gujrat and Raj Narain vs Superintendent Central Jail, New Delhi as cited by the Ld. Adv for the accused person.

Perused the CD and the forwarding report produced today by the police wherein the police has prayed for Police Custody for the accused Debendra Ahuja @ Chintu Ahuja for **03 days** by Inspector Chandranath Chakraborty of OC Narcotic Cell CID WB duly forwarded & recommended by superior authorities on the grounds stated therein and seen by Ld.P.P.

Considering the materials available in the CD, the prayer of police custody of the accused person namely Debendra Ahuja @ Chintu Ahuja is hereby allowed for **Three (03) days**.

I.O. is directed to ensure that utmost care and caution be taken so that the accused person is not malhandled in any manner whatsoever and to provide him with all possible medical assistance if needed, during the period of police remand. The accused person must be taken for medical check up on each day during police remand.

I.O. is further directed to observe strictly the guidelines set out by the Hon'ble Apex Court of India in this behalf regarding police custody in D. K. Basu Vs State of West Bengal (1997) 1 SCC 416.

Accused person namely Debendra Ahuja @ Chintu Ahuja is hereby remanded to **Police Custody till 25-06-2023**.

To **25-06-2023** for production of the accused person namely Debendra Ahuja @ Chintu Ahuja from Police Custody with P.C Report.

Let a copy of this order be handed over to I. O. of this case.

Dict & Corr by

**Special Judge (under NDPS ACT)-
cum-ADJ, 3rd Court,
Balurghat,Dakshin Dinajpur.**

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