

**N.D.P.S. Case No. 103-2020**

Order No. 16, dated 04.02.2026.

Accused Sakil Sekh on bail is present by filing hazira.

Ld. Special P.P. is present.

Today is fixed for consideration of charge.

The record is taken up for consideration of charge.

Heard both sides on charge.

Perused the materials on record and C.D.

Prima facie case under section 20(b)(ii)(A) of the N.D.P.S. Act is made out against the accused person. Accordingly charge in writing under section 20(b)(ii)(A) of the N.D.P.S. Act is also framed against him.

Content of charge is read over and explained to the accused person to which he pleaded not guilty and claimed to be tried.

At this stage, Ld. Special Public Prosecutor of this case has apprised this court that the charge so framed against accused Sakil Sekh u/s 20(b)(ii)(A) of the NDPS Act is a Magistrate Triable case as the recovered contraband substance in terms of Ganja was 700 grams which falls under the category of 'small quantity' and therefore the case record be sent to the Jurisdictional Magistrate, Ld. ACJM, Lalbagh for trial and disposal in terms of provision u/s 36(A)(a) of the NDPS Act which exclusively bars the trial of such offences by the Ld. Special Court involving small quantity and where the imprisonment is not more than three years.

Ld. Advocate for the Defence raises no objection.

Heard both sides.

Considered.

In view of the above circumstances, let the case record be sent to the Ld. ACJM, Lalbagh for trial and disposal.

Accused person is directed to appear before Ld. ACJM, Lalbagh on the date fixed.

To 05.03.2026 for appearance of the accused person.

BC – II is directed to make necessary arrangements to send the case record to the transferee Court on urgent basis after proper entry in the CIS.

Accused person as before. Return C.D.

Charge so framed in separate sheet be kept with the case record.

Dictated and corrected by me,

Judge.  
(J.O. Code WB 01303)

Judge, Special Court, N.D.P.S. Act,  
Berhampore, Murshidabad.  
(J.O. Code WB 01303)