

GAHC010071072022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Pet./329/2022

SULTAN ALI
S/O. KASEM ALI SHEIKH, R/O. HAIBARGAON, P.S. SADAR, DIST. NAGAON,
PIN-782002, ASSAM.

VERSUS

THE UNION OF INDIA
REP. BY THE STANDING COUNSEL, DIRECTORATE OF REVENUE
INTELLIGENCE.

Advocate for the Petitioner : MR. A LAL

Advocate for the Respondent : SC, DRI

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

18-07-2024

Heard Mr. A. Brahma, learned counsel for the petitioner and Mr. S. C. Keyal, learned Standing Counsel, DRI for the respondent.

On 19.08.2020, the personnel of DRI in presence of witnesses recovered 202.75 Kgs of Ganja (Cannabis) from a TATA Truck bearing Registration No. AS-01-DC/0792, that was parked in the service lane near Eastern Road Carriers, NH-37, Betkuchi, opposite to Honda Showroom at Guwahati in DRI Case No.03/CL/NDPS/Ganja/DRI/GZU/2020-21 in 14 packages

for Contravention under the provisions of Section 8 (c) of the NDPS Act, 1985 punishable under Section 20 (b) (ii) (c), 23, 27A and 29 of the NDPS Act, 1985.

In said DRI Case No.03/CL/NDPS/Ganja/DRI/GZU/2020-21, the DRI officials after investigation submitted the charge sheet in which, the petitioner has been shown as absconder.

After filing of the charge sheet the said DRI Case No.03/CL/NDPS/Ganja/DRI/GZU/2020-21 has been registered as NDPS Case No.09/2021 and presently pending before the Court of learned Additional Sessions Judge, Kamrup (Metro), Guwahati.

In said NDPS Case No.09/2021, the learned Trial Court issued Non Bailable Warrant of Arrest against the petitioner for his appearance.

The petitioner filed this criminal petition praying amongst others, to quash the entire proceeding of said NDPS Case No. 09/2021 (Union of India Vs. Nazrul Islam and 4 others).

This criminal petition was admitted for hearing on 26.10.2022.

However, on instruction of the petitioner, his counsel Mr. A. Brahma, is not pressing this criminal petition, to which Mr. Mr. S. C. Keyal, learned Standing Counsel, DRI has no objection.

Accordingly, this criminal petition, being not pressed, stands dismissed.

JUDGE

Comparing Assistant