



**Serial No. 03**  
**Supplementary List**

**HIGH COURT OF MEGHALAYA**  
**AT SHILLONG**

Crl.Rev.P. No.9 of 2025

Date of Order: 15.12.2025

Shri. Ratan Debbarma  
Son of Shri Purna Debbarma  
R/o Sardar Para, Kathiram,  
P.S.: Mandai, District: West Tripura,  
Tripura-799045.

.....Petitioner

-VERSUS-

State of Meghalaya through Public Prosecutor.

.....Respondent

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**Coram:**

**Hon'ble Mr. Justice B. Bhattacharjee, Judge**

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**Appearance:**

For the Petitioner/Appellant(s) : Mr. S.D. Upadhaya, Adv

For the Respondent(s) : Mr. S.A. Sheikh, GA

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**(ORAL)**

Heard Mr. S.D. Upadhaya, learned counsel appearing for the petitioner and also Mr. S.A. Sheikh, learned GA appearing for the State-respondent.

The petitioner has approached this Court on being aggrieved by the impugned order dated 22.07.2025 passed in Zimma Application No.7 of 2025 by the learned Special Judge (NDPS), Ri-Bhoi District, Nongpoh, arising out of Crl.(NDPS) Case No.1 of 2025 u/s 8(c) 20(b)(ii)(c)/25/29 of NDPS Act rejecting the prayer of zimma of Maruti Suzuki Supper



Carry Pick-up bearing Registration No.TR05/F-1909.

A brief fact of the case is that on 24.07.2024, the petitioner's vehicle along with another vehicle bearing Registration No.TR04/D-1920 were intercepted by the police and on search, 266.89 kgs of marijuana was recovered. Consequently, Umiam P.S. Case No.64 of 2024 u/s 8(C) 20(B)(ii),(c)25/29 of NDPS Act, was registered and the vehicle of the petitioner was seized along with the other vehicle. The petitioner thereafter filed Zimma Application No.7 of 2025 before the learned Special Judge (NDPS), Ri-Bhoi District, Nongpoh, for release of his vehicle bearing Registration No.TR05/F-1909. The learned Special Judge after hearing the parties rejected the prayer of the petitioner by order dated 22.07.2025. The petitioner being aggrieved has now approached this Court.

Mr. S.D. Upadhaya, learned counsel for the petitioner, submits that the petitioner is the registered owner of the Maruti Suzuki Supper Carry Pick-up bearing Registration No.TR05/F-1909 which was seized in connection with the Umiam P.S. Case No.64 of 2024. He submits that the petitioner has no involvement in the said case as the vehicle in question had been handed over to a driver on a contract basis for using the vehicle to transport goods for valuable consideration and also for retaining custody of the same subject to payment of Rs. 5,000/- (Rupees Five Thousand) weekly to the petitioner. The learned counsel, therefore, submits that the petitioner cannot be held liable for the acts and omissions of the driver. He further submits that the vehicle was procured by the petitioner by availing financial assistance and the seizure and retention of the vehicle by police is causing great hardship to the petitioner. He contends that there is no specific bar/restriction under the NDPS Act for conditional release of seized vehicle. He further contends that there is no definite timeline as to when the trial of the case would conclude and



hence, interim zimma of the vehicle may be granted to the petitioner. In support of his submissions, the learned counsel has placed reliance on the decisions of the Apex Court in *SLP (Crl) No.17081 of 2024, Tarun Kumar Majhi v. The State of West Bengal* and *Denash v. The State of Tamil Nadu, 2025 INSC 1258*.

Mr. S.A. Sheikh, learned GA appearing for the State-respondent, on the other hand, strongly objects to the prayer made on behalf of the petitioner. He submits that the driver of the vehicle bearing No. TR05/F-1909 is absconding and that the details of the identity of the driver have not been disclosed to the police by the petitioner. He further submits that the petitioner and the driver are evading arrest and that the petitioner has not appeared before the police despite several notices were sent to him. He submits that if the petitioner has no involvement in the alleged offence, he should have come forward to disclose the identity of the driver of the seized vehicle. The investigation of the case reveals that the petitioner is strongly suspected to be involved in the matter as the seized vehicle was modified to create several hidden compartments for concealing contraband materials carried therein. He, therefore, submits that release of the vehicle at this stage would cause hinderance to investigation of the matter and would enable the accused person to disappear permanently. He, thus, submits that there is no merit in the present petition and prays for rejection of the same.

Upon hearing the learned counsel for the parties and on perusal of the materials on record, it appears that on 24.07.2024, a huge quantity of marijuana amounting to 266.89 kgs was recovered from the petitioner's vehicle bearing Registration No. TR05/F-1909, which was concealed in a compartment in the upper portion of the vehicle. The police had to cut the upper portion of the manufactured floor to recover the concealed contraband. It further appears that immediately after detection of the



contraband, the driver of the vehicle and his helper fled the scene and are yet to be arrested. The status report placed on record by the learned GA shows that several notices were issued to the petitioner for his appearance before the police; however, he failed to do so. It also appears that the details of the identity of the driver or his address have not been disclosed to the police by the petitioner and therefore, the investigating authority is facing difficulty in apprehending the driver of the vehicle bearing Registration No. TR05/F-1909. The report further reveals that the vehicle was intentionally modified to create a special hidden compartment for carrying contraband in a concealed manner. The facts and circumstances of the case make disclosure of clear allegations against the petitioner and his involvement in the matter is strongly suspected. Since the petitioner has not cooperated with the police and has failed to furnish details of the driver to the investigating authority, this Court finds that release of the vehicle at this stage would be detrimental to the interest of the case, and there is every likelihood that the investigation would suffer if the vehicle is released at this juncture.

The authorities relied on by the learned counsel for the petitioner has no application in the facts and circumstances of the present case as it has been clearly laid down therein that each case must be examined in light of its peculiar facts and circumstances.

In view of the above, there is no merit in this revision petition and the same is dismissed.

**Judge**

Meghalaya  
15.12.2025  
"Shrity,PS"