



2026:UHC:4155

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPCRL No. 890 of 2026 <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Mukesh Kumar Kaparuwan, learned counsel for the petitioner. 2. Mrs. Sweta Badola Dobhal, learned Brief Holder for the State. 3. Mr. Shobhit Saharia, learned counsel for the respondent nos. 2 and 3. 4. The petitioner Arshad S/o Akhtar is praying for quashing of impugned notice dated 08.05.2026 issued under Section 67 of the NDPS Act arising out of the Case Crime No.4 of 2026. 5. It is submitted by the learned counsel for the petitioner that under the garb of impugned notice dated 08.05.2026 issued under Section 67 of the NDPS Act, the petitioner has an apprehension of arrest and secondly the notice is bad because on the disclosure of his name by other co-accused, who is in custody, the notice has been issued. 6. On the other side, NCB filed their counter affidavit and Mr. Shobhit Saharia, Advocate submits that the prohibited drug of commercial quantity was recovered from the other co-accused, who is in custody and who has disclosed the name of the petitioner and furthermore, he is running the medical store without any licence and prior to the impugned notice, thrice notice were given to the petitioner but he never turned up to respond the notice. 7. After hearing the learned counsel for the petitioner and after gone through with impugned



2026:UHC:4155

		notice dated 08.05.2026, it appears that by this notice, the petitioner has been called since he is a material witness for recording his statement. It appears from this notice that since the petitioner is a material witness, therefore, for the proper investigation of Case Crime No. 4 of 2026, cooperation of the petitioner is essential and his statements are also very necessary. 8. In such view of the matter, this Court does not find any illegality in the impugned notice and the petitioner has to abide by the said notice in order to cooperate with the investigation in Case Crime No.4 of 2026. 9. So far as apprehension part is concerned, it appears that such an apprehension is completely baseless since the notice itself reveals that the petitioner has been shown as a material witness and not an accused and only for the purpose of recording his statement, he has been called. 10. However, it is made clear while recording the statement of the petitioner pursuant to the impugned notice dated 08.05.2026, issued under Section 67 of the NDPS Act, the petitioner shall not be harassed unnecessarily. It is further made clear that since the date as mentioned in the impugned notice has already expired, in such view of the matter, this court fix the date for recording his statement. The petitioner shall ensure his presence pursuant to the impugned notice on 01.06.2026 in the NCB office at Dehradun. 11. The Writ Petition is disposed of accordingly. (Rakesh Thapliyal, J.) 26.05.2026 Shiv/
--	--	---



2026:UHC:4155

--	--	--	--