

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

RESERVED ON : 2nd JUNE, 2017
DECIDED ON : 22nd AUGUST, 2017

+ **CRL.A.1086/2016 & CrI.M.B.2050/2016**

LAL MOHAMAD Appellant
Through : Mr.Jivesh Tiwari, Advocate.

VERSUS

THE STATE (GOVT. OF NCT) OF DELHI Respondent
Through : Mr.Amish Aggarwal, Advocate
for Mr.Satish Aggarwala, Advocate

AND

+ **CRL.A.991/2016 & CrI.M.B.2266/2016**

ANIL KOTHARI JAIN Appellant
Through : Mr.S.S.Das, Advocate.

VERSUS

DRI Respondent
Through : Mr.Amish Aggarwala, Advocate
for Mr.Satish Aggarwala, Advocate

CORAM:
HON'BLE MR. JUSTICE S.P.GARG

S.P.GARG, J.

1. Aggrieved by a judgment dated 04.08.2016 of learned Addl. Sessions Judge in Sessions Case No.63A/08 whereby appellants – Lal Mohamad (A-1) and Anil Kothari Jain (A-2) were held guilty for

committing offence under Section 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'NDPS Act'); they have filed the instant appeals. By an order dated 10.08.2016, A-1 was sentenced to undergo RI for ten years with fine ₹1 lac; A-2 was sentenced to undergo RI for fifteen years with fine ₹3 lacs.

2. Briefly stated, the facts of the case are that on 24.04.2008 at about 07.00 p.m. Madan Singh, Intelligence Officer, Directorate of Revenue Intelligence (in short 'DRI') received a secret information that one off white colour Mahindra Bolero bearing registration No. BR 04C 7286 would arrive near Gurudwara, Siraspur, GT Karnal Road, New Delhi, at around 10.40 p.m. containing certain narcotic drugs and a clean shaven man in his sixties would come to collect the delivery of the contraband from the vehicle. The information was placed before the Deputy Director, DRI (HQ) who directed Sh.Gurjeet Singh, IO, to take necessary action. Pursuant to that, a raiding team was constituted; two public witnesses – Jai Singh and Ganga Ram were associated. The raiding team reached the spot at around 09.30 p.m. and kept discreet watch on the vehicles. At about 10.40 p.m. an off white colour Mahindra Bolero was seen coming from Mukraba Chowk side and it stopped in front of Gurudwara adjacent to bus stop; it was being driven by A-1. Soon thereafter, an old clean shaven man (A-2) accompanied by two young persons approached the vehicle and sat in it. The moment vehicle started moving, DRI officials intercepted it. They introduced themselves to the occupants of the vehicle. Mohan Lal Jat @ Manmohan and Ramesh Kumar were the two individuals who had accompanied A-2. Gurjit Singh, IO

informed the occupants of the vehicle about the secret information; they were also shown the search authorization issued under Section 41 NDPS Act. All the four occupants denied if any narcotic drug was concealed in the vehicle in question.

3. Since the place where the vehicle was intercepted was not suitable, the occupants were brought at DRI office, D-Block, IP Estate. Notices under Section 50 NDPS Act were served upon the appellants. On thorough examination of the vehicle, a false cavity was found created in its floor which could be accessed through a removable metal plate fixed below the rear seat of the vehicle secured to the floor with nuts and bolts. 151 packets covered with brown coloured masking tape were recovered; on testing, it were found to be 'Hashish'. Necessary proceedings were conducted. Total weight of the contraband was 153.378 kg; its net weight was 151.340 kg.; 10 samples were drawn; a panchnama was prepared. During investigation, statements under Section 67 NDPS Act were recorded of the appellants and that of Mohan Lal Jat @ Manmohan and Ramesh Kumar. The appellants were arrested and medically examined.

4. In the follow-up action, A-2's residential premises were searched at Arihant Farms, Khera Kalan and a car make Opel Astra No. DL 3CJ 4259 was recovered which was to be used to transport the contraband. Statements of the witnesses conversant with the facts were recorded during investigation. The exhibits were sent for examination to Central Revenue Control Laboratory (CRCL), New Delhi. Call Detail Records of mobile No. 09701806348 and 09847940219 were collected. It was also found that A-2 was a

previous convict in Sessions Case No.363/98 in RC4/E/98/Mum. He did not surrender in the Court on expiry of parole period. Upon completion of investigation, a complaint was filed by Gurjit Singh, IO against the appellants in the Court for commission of offences punishable under Sections 23, 25 & 29 of NDPS Act. By an order dated 18.12.2009, A-1 & A-2 were charged under Section 20(b)(ii)(C) of NDPS Act and also under Section 29 read with Section 20(b)(ii)(C) of NDPS Act each. The appellants pleaded not guilty to the charges and claimed trial. In order to establish its case, the prosecution examined 21 witnesses. In 313 Cr.P.C. statements, the appellants denied their involvement in the crime and pleaded false implication. A-2 examined DW-1 (Sushila Kothari), DW-2 (Bhavna Kothari) & DW-3 (Mohan Lal) in defence. The trial resulted in their conviction as aforesaid. Being aggrieved and dissatisfied, the instant appeals have been preferred by them.

5. Learned counsel for A-1 urged that the prosecution was unable to establish beyond reasonable doubt that A-1 was in conscious possession of the contraband. It was contended that A-1 was a driver by profession and was engaged by one Ramu at Raxaul (Bihar) to deliver the vehicle at Delhi on payment of ₹5,000/-. He was made to put signatures on various blank papers and had nothing to do with the contraband.

6. Learned counsel for A-2 urged that there is no evidence to connect A-2 with the crime. The prosecution story as presented cannot be believed. No independent public witness associated at the time of recovery was produced for examination. Adverse inference is

to be drawn against the prosecution for withholding material prosecution witnesses. A-2 was lifted from his residence at around 01.00 a.m. and was falsely implicated in the case. No evidence has emerged on record to infer if there was any nexus between A-1 and A-2 or that A-2 had any contact with the supplier of the contraband. It is highly unbelievable that DRI officials would come to know that the vehicle would reach exactly at 10.40 p.m. at the spot after covering a distance of about 1000 k.m. The movement of the vehicle has not been ascertained. Counsel would further urge that other members of the raiding team were not produced for examination. Information recorded under Section 42 of NDPS Act was on a plain paper. No recovery of contraband was effected from A-2.

7. Refuting the contentions, learned counsel for the respondent - DRI urged that no sound reasons prevail to disbelieve the testimony of PW-7 (Gurjeet Singh) who had no animosity with the appellants to falsely implicate them in the crime. No complaint for false implication was ever lodged by A-2's family members against the DRI officials any time.

8. PW-1 (Madan Singh), Intelligence Officer, DRI(HQ) received a secret information at around 07.00 p.m. on 24.04.2008; it was reduced into writing (Ex.PW-1/A). As per this secret information, a vehicle bearing registration No. BR 04C 7286 was to arrive near Gurudwara, Siraspur situated at GT Karnal Road, Delhi and an individual clean-shaven aged around 60 years was to approach the said vehicle to take delivery of the narcotics drug. This information was placed before Pankaj Kumar Singh, Deputy Director, DRI who made his

endorsement 'X' to 'X' at 07.25 p.m. on Ex.PW-1/A. Insp. Gurjeet Singh was directed to take necessary action. In the cross-examination, PW-1 (Madan Singh) disclosed that the secret informer had contacted him through control room telephone. The secret informer had met him earlier also once. True, that secret information was not recorded in a properly maintained register having serial number etc. to avoid its manipulation. The investigating agency record the information invariably over a loose sheet. Of course, such information / writing can be manipulated any time and its authenticity remains under suspicion. I do agree that recording the secret information under Section 42 of NDPS Act in a proper register maintained in the office in the course of duties is not mandatory. However, to avoid any suspicion, the investigation agency must record such a vital information in the proper register duly maintained in the office.

9. PW-1 (Madan Singh) was not a member of the raiding team. As per PW-7 (Gurjeet Singh), the raiding team consisted of he himself, SIO S.K.Sharma, Yogesh Chowdhary, Intelligence Officer and other officers of the DRI. In his testimony as PW-7 (Gurjeet Singh) gave detailed account as to how at about 10.40 p.m. a vehicle bearing registration No. BR 04C 7286 driven by A-1 was noticed near bus stand opposite Gurudwara, Siraspur at GT Karnal road. At the same time, A-2 along with two young persons (later on identified as Mohan Lal Jat and Ramesh Kumar) approached towards the vehicle and entered in it. As soon as the vehicle started moving, the raiding team intercepted it and the occupants were informed about the secret information. He also deposed that compliance under Section 50 NDPS

Act was made and both the appellants and other occupants of the car Mohan Lal Jat @ Manmohan and Ramesh Kumar were apprised of their legal rights. On search of the vehicle, 151 packets were recovered and the total weight of the contraband came to 153.378 kg. and net weight is 151.340 kg. Necessary proceedings were conducted. Statements of the concerned individuals interrogating the appellants were recorded under Section 67 of the NDPS Act; the appellants admitted their involvement in the crime; panchnama was prepared. Statements of the witnesses conversant with the facts were recorded. On 26.04.2008, he submitted report under Section 57 of the NDPS Act.

10. This witness was cross-examined at length by the appellants. Despite searching cross-examination, no material infirmities or inconsistency has emerged to disbelieve him. It is not denied that the vehicle Mahindra Bolero bearing registration No. BR 04C 7286 was seized on 24.04.2008 at around 10.40 p.m. when it had arrived near Gurudwara, Siraspur, GT Karnal Road, New Delhi. It was being driven by A-1. In 313 Cr.P.C. statement, A-1 categorically admitted in response to Q.7 as under :

“Q.7 It is also appearing in evidence against you that a discrete watch was kept by them at the above place and at about 10.40 p.m., the above vehicle bearing registration number BR 04C 7286 was noticed near the bus stand opposite the above Gurudwara and one person was seen sitting at the driving seat of the said vehicle; what you have to say?

Ans. It is correct that I was sitting in one Bolero vehicle at the above place but I do not know the rest.”

11. He further admitted in response to Q.135 as under :

“Q.135 What else you have to say?

Ans. I am innocent. One driver Ramu resident of Birganj, Bihar was known to me. He had only given me the above Bolero vehicle, the registration number of which I do not remember, at Raxaul, Bihar and told me that I have to take the above vehicle at the above place near a Gurudwara and I had to deliver the same to my co-accused and the details of the place and the name of the co-accused were written by me on a paper slip and handed over to me. Accordingly, I had brought the above vehicle at the above place and when my co-accused Anil Kothari had reached there with two other persons named Ramesh and Mohan, whose names I came to know subsequently, in one other vehicle to take the delivery of the above Bolero vehicle from me. We all were apprehended from the above place by some persons in plain clothes, who were subsequently revealed to be DRI officials.

We all and the above two vehicles were taken to DRI office and there we all were confined in a room. Ramu never told me that any packets of hashish were concealed in the above Scorpio vehicle nor I was aware regarding concealment or presence of the above packets in the above vehicle. I was not even previously known to my co-accused or other persons who came along with me. No such packets were recovered from the above vehicle in my presence and even no proceedings regarding the same were conducted in my presence. In the DRI office, my signatures were obtained on various blank and written documents. I had not made any statement to the DRI Officers in this case and the same is a fabricated document. All the other documents have also been prepared by them on their own and I am not aware about the contents thereof and I was only forced to sign on many blank and written documents. Though,

I was promised to be given an amount of Rs. 5,000/- by the above Ramu for the above job but I was even not paid the same as I was apprehended in this case.”

12. A-1 was not the resident of Delhi; he had no prior acquaintance with DRI officials. They did not nurture any grievance or ill-will against A-1 to falsely implicate him in the case. The vehicle bearing registration No. BR 04C 7286 being driven by A-1 had arrived in Delhi. Pursuant to the secret information recorded vide Ex.PW-1/A, the DRI officials had come to know about its arrival there. The secret information proved true as the said vehicle being driven by A-1, as admitted in 313 Cr.P.C. statement too, was recovered at the spot. A-1 had travelled a distance of around 1000 k.m. from Raxaul (Bihar). It is highly unbelievable that without any specific purpose, he would drive empty vehicle to Delhi. In 313 Cr.P.C. statement, he admitted that he was informed that the vehicle was to be delivered to the co-accused, the details of the place and name of the accused were written by him on a paper-slip. Accordingly, he had brought the vehicle at the spot where co-accused A-2 along with Mohan Lal Jat @ Manmohan and Ramesh Kumar met him. They all were apprehended from the said place by DRI officials in plain clothes. He did not specifically deny recovery of the contraband from the vehicle but pleaded ignorance about its existence. The Trial Court in the impugned judgment rightly observed in paras 36, 37, 38 & 39 as under :

“36.0 The learned counsels for accused claim false implication, but were unable to point out any motive on the part of DRI officials to falsely implicate the accused by implanting such a huge quantity of drug. It is not

*believable that DRI officials would implicate innocent persons in such a huge recovery of narcotic drug when there is no allegation of enmity, ill will or prejudice against them. The DRI officials were not known to any of the accused prior to the incident. In the case of **State of Punjab vs. Balwant Rai** (2005) 3 SCC 164, the Hon'ble Supreme Court has held that question of implanting a huge quantity of drug does not arise.*

37.0 The learned counsel for accused Lal Mohammad has argued that no liability can be attached to the accused as the accused had no knowledge about the concealment of drug in the vehicle. He submitted that in his statement under section 313 Cr.P.C., the accused Lal Mohammad had admitted about his apprehension with the vehicle alongwith the occupants and how he had travelled from Nepal border to Delhi at the instance of one Ramu. He had completely denied knowledge about the concealment of drug in the vehicle.

*38.0 Sections 35 and 54 of NDPS Act raise statutory presumption of conscious possession where the physical possession of contraband has been established. Section 35 of NDPS Act provides that Court shall presume the existence of culpable mental state in any transaction for an offence under this Act, although the accused can lead a defence to prove that he had no such mental state. Section 54 of NDPS Act, inter-alia, provides that the accused is presumed to have committed an offence under the Act in respect of any narcotic drug etc. if the accused fails to account satisfactorily for the possession thereof. In case **Chand Singh vs. NCB** (supra), it has been held that where physical possession of the contraband has been established then law raises statutory presumption of conscious possession. Once the prosecution has established physical possession of the contraband, then it would be for the accused to rebut the presumption of "conscious possession". It has been held in the case of **Dharampal Singh vs. State of Punjab** (2010) 9 SCC 608, that once possession is*

*established the court can presume that accused had culpable mental state and have committed the offence. In the case of **Madan Lal vs. State of H.P. (2003) 7 SCC 465** also it has been observed that once a possession is established, the person who claims that it was not the conscious possession has to establish it, because how he came to be in possession is within his special knowledge. In the present case not only the possession has been proved by the complainant/DRI, but the circumstances also establish that accused Lal Mohammad had knowledge of concealment of drug in the vehicle and thus, he was in conscious possession of the same.*

39.0 The accused Lal Mohammad has claimed that he was not having any knowledge but except this bald defence he has not placed any material on record documentary or otherwise to rebut the presumption. The circumstance in which he had brought the vehicle could raise suspicion in the mind of even a layman. The accused Lal Mohammad admittedly brought the vehicle from Raxol to Delhi without any passenger and without any goods therein. Apparently there was no indication to the accused why he was coming to Delhi with an empty vehicle. These are the circumstances which could have raised doubt in the mind of the accused. Moreover, when the physical possession has been proved the said presumption cannot be rebutted on a bare denial of knowledge.”

13. A-1 did not adduce any evidence in defence to show if at the time of taking delivery of the vehicle, he was not aware if it contained contraband. He did not examine any of his family members as to what was the purpose of his visit to Delhi. A-1 is not expected to take the vehicle for such a long distance on a mere payment of ₹5,000/- as alleged. He avoided to disclose the telephone numbers of the

individuals with whom he had remained in contact during the journey. The findings against A-1 cannot be faulted in view of the testimony of PW-7 (Gurjeet Singh), the member of the raiding team coupled with A-1's admission in 313 Cr.P.C. statement.

14. A-2 did not prove if he was lifted from his residence at 01.00 a.m. on the intervening night 24/25.04.2008 and falsely implicated in the case subsequently. PW-7 (Gurjeet Singh) firmly deposed that at the time when they reached the spot, pursuant to secret information (Ex.PW-1/A) at around 10.40 p.m. they found a clean shaven man accompanied by two young persons approaching towards the vehicle bearing No. BR 04C 7286 being occupied by A-1. Identity of these two individuals was ascertained Mohan Lal Jat @ Manmohan and Ramesh Kumar. It is not denied that both these individuals were acquainted with A-2. Mohan Lal Jat @ Manmohan even appeared in defence as DW-3. He disclosed about his presence at A-2's residence on 24.04.2008. He reasoned that his purpose to visit A-2 in Delhi was to enquire about his ill-health. This excuse does not inspire confidence. DW-3 (Mohan Lal), resident of village Sanduwa, Sujangarh, Distt. Churu, Rajasthan is not expected to remain at A-2's residence for three days. It is relevant to note that DW-3 was also a suspect and was served with a notice under Section 50 of NDPS Act. Subsequently, he and Ramesh were not found involved in the crime and were not implicated. It, however, lends-credence to the prosecution case that A-2 along with Mohan Lal Jat @ Manmohan and Ramesh Kumar had gone to contact A-1 at Delhi on 24.04.2008 at about 10.40 p.m.

15. A-1 in his 313 Cr.P.C. statement admitted that A-2 along with two individuals Mohan Lal Jat @ Manmohan and Ramesh Kumar had reached the spot; they had talked with him. He also admitted that they all were apprehended immediately after conversation by DRI officials who disclosed their identity. He further admitted that all of them were taken to DRI office from the spot. This assertion is entirely contrary to the stand taken by A-2 in 313 Cr.P.C. statement where he denied any acquaintance with A-1 or his presence at the spot at 10.40 p.m. No sound reasons exist to disbelieve A-1 about his familiarity with A-2 when he specifically disclosed that A-2 along with his two associates had arrived to contact him. Before the contraband could be delivered to them, they were apprehended by the DRI officials.

16. The prosecution has examined various other witnesses to show that there was nexus between the supplier of the contraband and A-2. The findings of the Trial Court recorded in paras 48 & 49 are relevant to note in this regard :

“48.0 In the present case, the accused Lal Mohammad has transported the contraband in the Bolero vehicle bearing a fake registration number as BR 04C 7286 from Raxol to Delhi. He was simply carrying of narcotic drug with the direction to handover the drug to a person, who was unknown to him to deal in narcotic drug. His only role was to transport the drug from Raxol to Delhi, nothing more or nothing less. Similarly, the role assigned to Anil Kothari was to collect the narcotic drug and store, if required. Both the accused were not known to each other. They have not had any meeting of mind and they performed their respective part on instruction of some other persons. Therefore, they can

be liable only for the act committed by them. Though incidentally both were found together in the Bolero vehicle in which the narcotic drug was concealed to their knowledge. Section 29 of NDPS Act, therefore, would not be attracted against them. When the DRI officials had apprehended them in the Bolero car no. BR 04C 7286 they had the knowledge that narcotic drug was concealed in the vehicle. The accused Lal Mohammad had transported the drug with the knowledge. Thus, he was in conscious possession thereof. Accused Anil Kothari approached accused Lal Mohammad knowing that Lal Mohammad had brought the narcotic drug in the vehicle in question of which he was to take possession and transport it further to his Arihant Farm, Khera Kalan and keep in the car make Opel Astra bearing no. DL 3CJ 4259, which he had collected from the parking lot of Hanuman Mandir, Karol Bagh at the instance of one Giani, who was named by the accused Anil Kothari in his statement under section 67 of NDPS Act Ex.PW7/A.

49.0 It is pertinent to mention here that the nexus of the accused Anil Kothari with the entire transaction is also established from the fact that this Opel Astra Car bearing no. DL 3CJ 4259 has been recovered from Arihant Farm, subsequent to the statement of the accused Anil Kothari Jain Ex.PW7/A. PW10 Sh.Jyotimon Dethan had conducted the search at Arihant Farm, on the basis of search warrant issued by Sh.K.K.Sood, Assistant Director. He found the car no. DL 3CJ 4259 at the Arihant Farm premises and the key of the car was provided to him by one Alkesh Rai, who happens to be relative of accused Anil Kothari Jain. The statement of PW10 in this regard could not be impeached in cross-examination.”

17. During investigation, investigating agency had come into contact with many individuals having acquaintance with A-2.

Undoubtedly, most of the witnesses could not be examined during trial. Even Ganga Ram and Jai Singh associated as independent public witnesses were not examined as the addresses given by them were found incorrect. It has been noted in various cases that tendency of the investigating agency not to produce the independent public witnesses during examination is to be deprecated. No sincere efforts were made by the investigating agency to verify if the addresses furnished by such individuals were correct. It is mystery as to how the investigating officer is able to procure their attendance during investigation but fails to examine them during trial. It can well be inferred that no such witnesses really existed and their names were added to show that the recovery was effected in the presence of independent public witnesses. Anyhow, in the instant case, even if the statements of those two individuals - Ganga Ram and Jai Singh are discarded or ignored, the evidence of PW-7 (Gurjeet Singh) inspires confidence in view of the specific admission in 313 Cr.P.C. statement made by A-1 regarding his apprehension and association with A-2 and his associates.

18. PW-10 (Jyothimon Dethan), Intelligence Officer, DRI(HQ) had conducted search at Aardee Farms, Khera Kalan, Delhi on 25.04.2008 at around 12.30 p.m. where one Sonu Thapa was found present. He deposed that during search, no incriminating article was found. However, a car make Opel Astra bearing registration No.DL 3CJ 4259 was found parked in the farmhouse and as per Investigating Officer's statement, the said car was supposed to be used in drug trafficking. Keys of the car were provided and on its search, six papers were

recovered; these were seized vide seizure memo / panchnama (Ex.PW-10/B). Existence of this vehicle is not in question. PW-16 (Inder Jeet Singh), an independent public witness, has deposed that his statement (Ex.PW-7/Q) under Section 67 of the NDPS Act was recorded by DRI officials. It is in his handwriting and bears his signatures at point 'A'. This witness had repaired the vehicle as asked by Virender Malhotra who used to get his vehicle make Tavera No.1089 repaired from him. He deposed that Virender Malhotra had asked him to bring the vehicle for repair from Gurgaon. Opel Astra car was standing somewhere in the area of Gurgaon and he was taken by Virender Malhotra to Gurgaon in his Tavera. On the way, Virender Malhotra had taken one Pedro and the vehicle was brought from Gurgaon to Delhi while being driven by Pedro. The said vehicle was brought to his road-side shop and he repaired it. After some days, Pedro enquired from him as to where the vehicle was and he replied that it was with Virender Malhotra R/o House No.450, 3rd Floor, Mukherjee Nagar, Delhi. PW-17 (Ms.Janet Chinboi Munluo) informed that the vehicle make Opel Astra having registration No. DL 3J 4259 was registered in the name of her husband Gerardo Morante Mendez. She further informed that she wanted to sell the car in 2008 and one Pedro had showed interest in purchase of the said vehicle. Mr.Pedro had visited in 2008 to inspect the vehicle along with one Mr.Malhotra and a mechanic. The car was taken by them stating that it required some repair. After the car was taken, she did not hear anything and was not contacted by any of them. She proved the statement (Ex.PW-7/M) recorded under

Section 67 of NDPS Act. These witnesses have no ulterior motive to make false depositions.

19. PW-18 (Harinder Singh) proved the statement (Ex.PW-7/Y) recorded by DRI officials after he identified A-2 in the Court to be the customer who had accompanied Vicky at the time of issuance of SIM No. 9990669384. A-2 did not explain his presence along with Vicky while getting the SIM.

20. Despite certain infirmities in the prosecution case referred above, the overwhelming evidence; ocular as well as documentary, coupled with response given to the incriminating circumstances in 313 Cr.P.C. statement by A-1, findings of the Trial Court recording appellants' conviction cannot be faulted. The conviction is affirmed.

21. Sentence awarded to A-1 cannot be modified or altered as it is the minimum one prescribed under the Act. Sentence Order qua A-1 is modified to the extent that default sentence for non-payment of fine shall be three months instead of one year. Other terms and conditions of the Sentence Order are left undisturbed.

22. A-2 is a previous convict and it is not disputed. However, considering A-2's medical condition, Sentence Order is modified to the extent that RI shall be 12 years with fine ₹2 lacs; default sentence would be six months for non-payment of fine.

23. The appeals stand disposed of in the above terms. Crl.M.B.Nos. 2050/2016 and 2266/2016 also stand disposed of.

24. Trial Court records be sent back forthwith with the copy of the order. Intimation be sent to the Superintendent Jail.

CRL.M.A.No. 916/2017 in CRL.A.1086/2016
CRL.M.A.No.1061/2017 in CRL.A.991/2016

The above applications have been moved by the respondent for destruction of case property i.e. 151.340 kg hashish and representative samples.

The case property as well as the representative samples be destroyed as per rules after the expiry of period of appeal.

The applications stand disposed of.

(S.P.GARG)
JUDGE

AUGUST 22, 2017 / tr



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