IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-40092-2023 (O&M)

MANOJ KUMAR SAHOO

. . . .PETITIONER

Vs.

STATE OF PUNJAB

. . . . RESPONDENT

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CRM-M-26362-2023 (O&M)

RISHI KUMAR

. . . .PETITIONER

Vs.

STATE OF PUNJAB

. . . . RESPONDENT

Reserved on: 05.12.2024
Date of Decision: 10.12.2024

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CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Argued by:- Mr. R.S. Rai, Senior Advocate with
Ms. Isha Goyal, Advocate,
for the petitioner (in CRM-M-40092-2023)

Mr. Gaurav Chopra, Sr. Advocate with
Mr. Mohit Giri and Mr. Harmeet Singh, Advocates
for the petitioner (in CRM-M-26362-2023)

Mr. Rajeev K. Takkar, DAG, Punjab.

DEEPAK GUPTA, J.

The two petitioners in the above titled two petitions, have prayed for their release on regular bail in a case arising out of FIR No.305 dated 21.12.2022 registered at Police Division-A, Police Commissionerate, Amritsar, under Section 22(c) of the Narcotics Drugs and Psychotropic Substances Act, 1985 [for short 'the NDPS Act'] (Sections 27A and 29 of the NDPS Act, 1985 and Sections 420, 468, 471 and 120B/34 IPC, added later on).

Prosecution allegations & Investigation:

2 (i) As per prosecution allegations mentioned in the status reports as filed in both the petitions, on 21.12.2022, **Nishan Sharma** s/o Baldev Raj

Sharma was apprehended on the basis of secret information from bus stand, Amritsar by a police party headed by Inspector Rajwinder Kaur, SHO of Police Station A-Division, Amritsar City. After making necessary statutory compliances, his search resulted in recovery of 29,920 intoxicating tablets of Tramadol Hydrochloride 100 mg, Cosidol-100 SR tablets of Bluepen Laboratories Pvt. Ltd. (ISO 9001:2015 certified company), manufactured by Rapport Remedies, Dehradun with batch No. RRNT-11/049, RRNT-11/038 and T12217.

(ii) On interrogation, said Nishan Sharma suffered disclosure statement on 22.12.2022 to the effect that he used to purchase the intoxicating tablets from **Nadeem** r/o Rurkee, Uttrakhand and that he had to handover/supply the aforesaid tablets to **Rajiv Kumar @ Gourav @ Mannu**. He also disclosed that earlier also, he had supplied the tablets to said Rajiv Kumar @ Gourav @ Mannu and other associates many times. It was also disclosed that said Rajiv Kumar @ Gourav @ Mannu used to further sell the tablets to others and that said Rajiv Kumar @ Gourav @ Mannu had given him (Nishan Sharma) ₹60,000/- for bringing the intoxicating tablets and that after adding the remaining amount, he had brought the tablets for ₹1,10,000/- from Nadeem.

(iii) On the basis of aforesaid disclosure statement of Nishan Sharma, co-accused Rajiv Kumar @ Gourav @ Mannu and Nadeem were nominated in the FIR. Rajiv Kumar @ Gourav @ Mannu was arrested on 22.12.2022 and drug money of ₹29,300/- was recovered from him. On interrogation, said Rajiv Kumar @ Gourav @ Mannu suffered disclosure statement to the effect that he was habitual of selling intoxicating tablets, which he used to purchase from co-accused Nishan Sharma; that he had given ₹60,000/- in advance to Nishan Sharma for purchasing the intoxicating tablets and remaining amount was to be given to him after selling the contraband. Rajiv Kumar @ Gourav @ Mannu and Nishan Sharma were produced before ld. Area Magistrate along with the parcels of the contraband and proceedings under Section 52A of the NDPS Act were initiated.

(iv) During course of further investigation, the firm M/s Rapport Remedies situated in Industrial Area, Selaku, Dehradun, Uttrakhand was inspected on 24.12.2022 by the officials of Punjab Police Drug Control Department along with officers of Drug Control Department of Dehradun. Co-accused **Usman Rehman***,* the in charge and partner of the firm was present. It was found that manufacturing drug license of the said firm had been canceled vide letter dated 28.10.2022 of the competent authority, which had been received by the firm on 03.11.2022. Despite cancellation of its license, the firm continued to manufacture the intoxicating tablets containing Tramadol Hydrochloride as active ingredient in its different brands of various batches. It was further found that the said firm had sold 85000 capsules of Chelcidol-50; 1,44,000 tablets of LOS DOL 100 SR and 1,76,000 tablets of Cosidol 100 SR to M/s Bluepen Laboratories Private Limited, Dehradun vide different invoices of 21.11.2022, 10.11.2022 and 30.11.2022 i.e., even after intimation of cancellation of its drug manufacturing licence. However, on inspection, no physical stock of the dosage containing Tramadol Hydrochloride as active ingredient was found; and as per the register of the raw material, stock in hand of Tramadol Hydrochloride was Nil. Spot Inspection Memo was prepared. Usman Rehman, owner of the firm was nominated as accused.

(v) Accused Usman Rehman was arrested on 25.12.2022 and on interrogation, he suffered disclosure statement *[Annexure R-1/T]* admitting to have sold 85,000 intoxicating capsules and 3,20,000 intoxicating tablets to **Manoj Kumar Sahu** ***(petitioner in CRM-M-40092-2023)*** of M/s Bluepen Laboratories Pvt. Ltd. He also disclosed that he could get the recovery effected from the premises of Bluepen Laboratories Pvt. Limited. Said Usman Rehman further disclosed that apart from selling the narcotic capsules and tablets to the aforesaid Bluepen Laboratories Pvt. Limited, he was also selling the same to various other marketing firms through Bluepen Laboratories Pvt. Limited and M/s Basumed Health Care Pvt. Ltd. to one Suraj Sharma, owner of A-Pharma, and even had supplied directly to Nadeem resident of Rurkee; and that Nadeem used to further sell the intoxicating tablets/capsules to other persons of Punjab State; and that on his direction, Nadeem also used to sell the same to Nishan Sharma in Amritsar and also to A-Pharma, Sector 21, Rohini, Delhi. Said Usman Rehman also disclosed about his knowledge of phone number and addresses of Nadeem and above said A-Pharma.

(vi) Thereafter, on the same date i.e., 25.12.2022, the firm M/s Bluepen Laboratories Pvt. Limited was inspected by the officers of Punjab Police Drug Control Department along with the officers of Drug Control Department of Dehradun (Uttrakhand). Inspection was conducted in the presence of petitioner Manoj Kumar Sahu the competent person, authorized signatory as well as Director of the said Bluepen Laboratories Pvt. Limited. Said firm was found to hold a valid wholesale drug license, granted on 11.09.2021 and valid upto 10.09.2026. It was found that said firm had purchased 85,000 intoxicating capsules and 3,20,000 tablets from Rapport Remedies. On inspection of the sale record, the company was found to have sold the intoxicating tablets to A-Pharma, Shop No. G-27, R.K. Plaza, Plot No.5, Sector 21, Rohini Phase II, Delhi vide an invoice dated 11.11.2022. The firm was further found to have sold intoxicating tablets to various other firms by way of different invoices. The firm was found to have stocked 85,000 capsules of Chelcidol and 3,20,000 tablets of Casidol, containing Tramadol Hydrochloride as an active ingredient, having purchased the same from M/s Rapport Remedies. The same were found to have been manufactured by M/s Rapport Remedies after the date of cancellation of its manufacturing license. Thus, the company M/s Bluepen Laboratories Pvt. Limited, having purchased the drugs from manufacturing firm, after cancellation of the license, was found to have violated the conditions of the drug license. All the aforesaid intoxicating tablets were taken in possession as per law/rules.

(vii) On the basis of disclosure statement of accused Usman Rehman, the documents relating to drug license of the firm A-Pharma of Rohini, Delhi were verified from Drug Control Board Delhi, which revealed **Suraj Sharma** to be owner and **Nitin Kumar Singh** to be the competent person of the said firm. However, Suraj Sharma was found to be not residing at the address given in his Aadhar card. The firm A-Pharma was not found to be working at the given address, as neither any medicine nor any bills etc. were lying there. Suraj Sharma and Nitin Kumar Singh were nominated as co-accused.

(viii) Nitin Kumar Singh, the competent person of the firm A-Pharma was arrested on 31.12.2022, who on custodial interrogation disclosed that he had never met Suraj Sharma. Photograph of Suraj Sharma affixed on the license was shown to Nitin Kumar Singh, but he expressed his ignorance about any such person and told that he had appended his signature for obtaining the license on the asking of **Sanjeev Kumar Arora @ Sanjiv Arora** from the drug department, for ₹3000/- per month.

(ix) Nitin Kumar Singh led the police team to the shop of Jan Aushadhi at Vikas Puri, where Sanjeev Kumar Arora was found. Said Sanjeev Kumar Arora also showed his ignorance regarding any person by the name of Suraj Sharma by telling that he neither met him nor he identified the person on the photograph affixed on the drug license. However, said Sanjeev Kumar Arora admitted to have got prepared the file of drug license of A-Pharma and further told that they were also running one more firm in the name of medical store M/s A-One at Chemist J.J. Colony, Sanda Ghevra Delhi and that license of that firm had also been got issued by preparing the documents in the name of Preeti Devi and Anku Kumar like documents prepared for A-Pharma. Said Sanjeev Kumar Arora @ Sanjiv Arora was nominated as co-accused and arrested on 31.12.2022. CPU being used for preparing drug licence files and other documents were taken into possession from him.

(x) Upon verification, the shop of A-One was found to be closed, whereas residential address of Preeti Devi was found to be fake. Thus, involvement of Sanjeev Kumar Arora and Nitin Kumar Singh was found for obtaining the drug license by submitting false documents in the name of fake firms and for running the business of intoxicating medicines in huge quantity. They were found to have violated Section 27A and 29 of the NDPS Act and Section 420, 468, 471, 120B and 34 IPC.

(xi) Drug licenses issued in the name of aforesaid fake firms i.e. A-Pharma and M/s A-One Chemist, were canceled by the competent authority. On interrogation, during police remand, accused Nitin Kumar Singh suffered disclosure statement on 02.01.2023 that **Rishi Kumar** *(petitioner in CRM-M-26362-2023)* Son of Rama Bali of West Delhi used to deliver the intoxicating tablets at firm A-Pharma and also used to bring the sale consideration amount. As such, said Rishi Kumar was nominated as co-accused in the case and arrested on 07.01.2023. Drug money of ₹4 lakh was recovered from him.

(xii) During his custodial interrogation, Rishi Kumar *(petitioner in CRM-M-26362-2023)* suffered disclosure statement, as per which he along with **Rajan Kumar** and his distant brother-in-law namely **Santosh Prashad** were involved in drug paddling of intoxicating tablets, which they used to purchase from Bluepen Laboratories Pvt. Limited, Dehradun, Uttrakhand. The consignment of intoxicating tablets was transported through Delhi and that it was the responsibility of Rajan Kumar and Santosh Prashad to get released the consignment from transporters and the drug proceeds were distributed amongst them. Said Rishi Kumar further disclosed that he and Santosh Prashad used to invest drug proceeds in their chemist shop namely A-One Chemist and that it is Santosh Prashad, who had sent him to accused Sanjeev Kumar Arora for preparing the file of A-Pharma in the name of Suraj Kumar. The retail license of A-One chemist was prepared in the name of Preeti Devi, who is the wife of accused Santosh Prashad @ Dr. Rajesh.

(xiii) On the basis of above disclosure statement, Rajan Kumar was nominated as accused in this case and was arrested on 08.01.2023. On interrogation, he suffered disclosure statement on similar lines as of Rishi Kumar and also told that they had hired one Auto Rickshaw of **Sumeet** for the purpose of transporting the intoxicating tablets and that the same were received in Punjab from Manoj Kumar Sahu, owner of Bluepen Laboratories Pvt. Limited, on the basis of fake bills of other medicines, being used in daily routine. Said Rajan Kumar further disclosed that he along with Rishi Kumar *(petitioner in CRM-M-26362-2023)* and Santosh Prashad @ Dr. Rajesh had kept 10 to 15 boxes of intoxicating tablets in a house at Shiv Vihar, Uttam Nagar, Delhi taken as rent in his name. The said disclosure statement made by petitioner Rajan Kumar resulted into recovery of 15 boxes containing 3,56,800 intoxicating tablets containing Tramadol Hydrochloride, from the disclosed place, which were taken into possession as per rules.

(xiv) During the course of further investigation, Manoj Kumar Sahu *(petitioner in CRM-M-40092-2023)*, owner of Bluepen Laboratories Pvt. Limited, was arrested on 14.02.2023. He was produced before Jurisdictional Magistrate and his police remand was taken. During custodial interrogation, he suffered disclosure statement, as per which he used to purchase intoxicant tablets and capsules from Usman Rehman, the owner of M/s Rapport Remedies, despite having knowledge that the drug license of M/s Rapport Remedies of said accused Usman Rehman had already been cancelled. Petitioner Manoj Kumar Sahu further disclosed that he used to sell these intoxicating capsules/tablets in Punjab and other States through fake firm A Pharma, M/s T-Sailo Pharmacy, M/s Ashish Medical Agency, M/s Dehradun Medicines and M/s Rare Care Pharmaceutical. It was further disclosed by him that Vikrant Tomar, the owner of M/s Rare Care Pharmaceuticals had told him that he (Vikrant Tomar) was not having any license, despite which he (petitioner Manoj Kumar Sahu) had inspired him to prepare a fake license so as to sell intoxicating drugs. On the identification of petitioner Manoj Sahu, recovery of 19,700 intoxicating tablets, 14,832 intoxicating capsules and 45,925 intoxicating injections were effected from him.

(xv) During further investigation, it was revealed that no firm by the name of M/s Rare Care Pharmaceuticals, Jagrati, Bihar, exits at the given address. Report was obtained from Local Drug Inspector in this behalf. It was thus, found that petitioner-Manoj Kumar Sahu used to sell intoxicating tablets/capsules to this firm by issuing invoices in favour of this fake firm;

and other similar fake firms also. **Vikrant Tomar**, owner of firm M/s Rare Care Pharmaceuticals was nominated as accused.

(xvi) The recovered intoxicating materials were sent for necessary analysis at FSL. Reports have been received and after concluding the investigation, final report under Section 173(2) Cr.P.C. has been filed qua accused petitioner Manoj Kumar Sahoo and other arrested co-accused namely, Rajan Kumar, Nishant Sharma, Usman, Nitin Kumar Singh, Sanjeev Kumar Arora, Rishi Kumar *(petitioner in CRM-M-26362-2023)*. Co-accused Santosh Prashad @ Dr. Rajesh, Suraj Sharma, Vikrant Tomar, Nadeem Ahmed and Sumeet, are yet to be arrested.

Contentions on behalf of petitioner Manoj Kumar Sahu:

3.1 It is contended by learned senior counsel for petitioner-Manoj Kumar Sahu that said petitioner is running M/s Blue Pen Laboratories under a valid drug license, which has been duly verified by the Investigating Agency. Petitioner, as a marketing firm was purchasing the tablets of Tramadol Hydrochloride from M/s Rapport Remedies under the *bona fide* belief that said M/s Rapport Remedies was having a valid drug license. Petitioner had absolutely no knowledge that the drug license of M/s Rapport Remedies had been cancelled on 28.10.2022. Learned counsel has drawn attention towards the disclosure statement of Usman Rehman, the partner and in-charge of firm M/s Rapport Remedies, in which he has mentioned that despite canceling of the licence, his firm had misled and sold the intoxicating drugs to the marketing firm M/s Blue Pen Laboratories.

3.2 Learned senior counsel contends further that as per the terms and conditions of the license issued in favour of the firm of the petitioner, the firm had been purchasing the drugs under valid invoices from the manufacturer and selling the drugs to the firms, which had valid drug license, without knowing that any of the firms to whom the drugs had been sold, were fake. Specific attention is drawn by learned counsel towards the fact that valid drug license had been issued in favour of the firms to whom the drugs had been supplied by the petitioner-firm. Learned counsel points out further that the petitioner is in custody for the last more than 1 year and 10 months; and that trial is likely to take long time to conclude, as some of the accused are yet to be arrested.

3.3 with above submissions, Ld. Senior counsel prayed for granting bail to the petitioner.

Contentions on behalf of petitioner Rishi Kumar:

4. On behalf of petitioner Rishi Kumar, it is contended by ld. counsel that he has been nominated on the basis of co-accused-Nitin and that said Nitin has already been allowed bail by the Special Court, Amritsar. Learned counsel further contends that no recovery was effected from the petitioner and that there is nothing to show that recovery of ₹4 lakh, allegedly recovered as drug money, pertain to the sale and purchase of any drug. Learned counsel submits that the petitioner is in custody for the last more than 1 year and 11 months and so, he be released on bail as trial is likely to take long time to conclude.

Stand of the respondent State:

5.1 Strongly refuting the contentions raised by learned counsel for both the petitioners, learned State counsel has drawn attention towards the detailed status report as filed by the Investigating Agency showing the specific role of the petitioners-Manoj Kumar Sahu as well as Rishi Kumar. It is pointed out that as per the disclosure statement of the petitioner-Manoj Kumar Sahu, he knew very well that drugs license of firm M/s Rapport Remedies had already been cancelled, despite which his firm continued to purchase the drugs from said M/s Rapport Remedies. Not only this, the disclosure statement of the petitioner and another co-accused clearly reveal the role of the petitioner, who knew it very well that he was selling the drugs to such fake firms, which had procured the drug license on the basis of fake documents.

5.2 Regarding the role of petitioner-Rishi Kumar, it is pointed out by learned State counsel that accused-Nitin and Sanjeev had been arrested, as they were instrumental in preparing the fake documents for preparing the drug license in the name of fake firms, which used to purchase the drugs. The disclosure statement of co-accused-Nitin disclosed the name of Rishi Kumar as supplier of the drugs to A-Pharma and the said A-Pharma was a fake firm. Learned State counsel also drawn attention towards the disclosure statement of petitioner-Rishi Kumar, who not only nominated Rajan Kumar and Santosh Kumar @ Dr. Rajesh as accused, even drug money of ₹4 lakh was recovered from the said petitioner-Rishi Kumar. On the arrest of co-accused Rajan, on the basis of disclosure statement of Rishi Kumar, recovery of 3,56,800 intoxicating tablets was effected.

5.3 Learned State counsel though conceded that co-accused Nitin has been allowed bail by the Special Court, but it is pointed out by learned State counsel that this Court had rejected the bail petition of said co-accused Nitin. Learned State counsel also submits that the State has already moved petition before this Court not only for cancellation of the bail granted to co-accused Nitin Kumar, but also to set aside the order, whereby the Special Court has discharged the co-accused Nitin Kumar from the provisions of NDPS Act.

5.4 Learned State counsel submits that both the petitioners along with other co-accused were indulging in the drug racket of purchasing and selling drugs and therefore, none of them deserve to be released on bail.

5.5 With this submission, prayed is made for rejecting the both petitions.

6. I have considered the submissions of both the sides and have appraised the record carefully.

Petitioner Manoj Kumar Sahu:

7. It is no doubt true that firm of petitioner-Manoj Kumar Sahu i.e. M/s Blue Pen Laboratories was having a valid drug license with validity period till 2026, but as per the conditions of the license, the said firm cannot sell any drugs, unless it is purchased under a cash or credit memo from a

duly licensed dealer or a duly licensed manufacturer. As per another condition of the license, no sale of any drug shall be made by the said firm to a person not holding the requisite license to sell, stock or exhibit for sale or distribute the drugs.

8. In the present case, the firm of the petitioner used to purchase prohibited drugs manufactured by M/s Rapport Remedies owned by M/s Usman Rehman, co-accused. The drug license of said M/s Rapport Remedies owned by Usman Rehman-co-accused had been cancelled on 28.10.2022 under due intimation to the said firm on 03.11.2022. Despite that said firm M/s Rapport Remedies continued to sell the drugs to M/s Blue Pen Laboratories on 04.11.2022 and on further dates also. Although as per the disclosure statement of Usman Rehman, it had misled firm of the petitioner's firm in selling the drugs, but disclosure statement of the petitioner clearly indicates that it had full knowledge of the cancellation of the drug license of M/s Rapport Remedies. Investigation has revealed that M/s Rapport Remedies had sold 85000 capsules of Chelcidol-50; 1,44,000 tablets of LOS DOL 100 SR and 1,76,000 tablets of Cosidol 100 SR to M/s Bluepen Laboratories Private Limited, Dehradun vide different invoices of 21.11.2022, 10.11.2022 and 30.11.2022 despite of cancellation of drug manufacturing licence on 28.10.2022. Not only this, the inspection of the premises of M/s Blue Pen Laboratories resulted in recovery of 85000 intoxicating capsules and 320000 intoxicating capsules purchased by it from Usman Rehman illegally, after the cancellation of its license.

9. Still further, the investigation has revealed that co-accused Sanjeev Kumar Arora had prepared fake firm A Pharma on the basis of fake documents and got it issued drug license from Drug Department, Delhi. Thereafter, this firm A Pharma used to purchase intoxicating capsule and tablets from M/s Blue Pen Laboratories i.e. the firm of the petitioner and M/s Rapport Remedies of Dehradun and then supplied in different states. This fact was in the complete knowledge of petitioner-Manoj Kumar Sahu to the effect that A Pharma is a fake firm and it did not exist anywhere, but despite the same, petitioner had sold the intoxicating capsules and tablets

to this firm. The disclosure statement of co-accused-Rajan Kumar revealed the involvement of Rishi Kumar and Santosh Kumar Prasad, who were involved in the supply of prohibited intoxicating tablets in Punjab and other states and these were being received in Punjab from petitioner-Manoj Kumar Sahu, the owner of M/s Blue Pen Laboratories, Dehradun on the basis of fake bills of other medicines used in daily routine. Not only this, the disclosure statement of Rishi Kumar further revealed that Santosh Prashad and Dr. Rajesh and Rajan used to supply intoxicating tablets in Punjab and other states, which used to come from M/s Blue Pen Laboratories, Dehradun and it is on the asking of its owner Manoj Kumar Sahu i.e. present petitioner that intoxicating tablets came to Delhi by preparing forged bills daily in the name of Delhi medicine, which they used to send to Punjab through courier.

10. The role of the petitioner-Manoj Kumar Sahu does not end here. The disclosure statement suffered by this petitioner reveals that after purchasing the intoxicating tablets and capsules from Usman Rehman, the owner of M/s Rapport Remedies despite having knowledge that manufacturing license of M/s Rapport Remedies has been cancelled,he used to further sell the intoxicating tablets and capsules in Punjab and other states through fake firms A Pharma, M/s T-Sailo Pharmacy, M/s Ashish Medical Agency, M/s Dehradun Medicines and M/s Rare Care Pharmaceuticals. It has come in disclosure statement of the petitioner that Vikrant Tomar, the owner of M/s Rare Care Pharmaceuticals had told him that he was not having any licenses but said petitioner inspired him to prepare fake license so as to sell him the intoxicating tablets. The investigation revealed that no firm by the name of M/s Rare Care pharmaceutical existed at the given address despite which petitioner used to sell the intoxicating tablets and capsules to the said firm by issuing invoices in favour of the said fake firm and another fake firms also.

11. All the aforesaid circumstances *prima facie* indicates the involvement of the petitioner in the drug rackets along with the other co-accused. At this stage, there is no reason for this court to discard or

disbelieve the disclosure statement of petitioner and other co-accused, which have resulted in recovery of not only the intoxicating tablets/capsules but also incriminating new material facts.

12. The sequence of entire facts and circumstances of the case would reveal that the petitioner alongwith with other co-accused is involved in running a racket of illicit drugs, which after being manufactured at Rapport Remedies are being marketed through the firm of the petitioner namely, Bluepen Laboratories Pvt. Limited and then are being further sold to the fake firms created by Nitin Kumar Singh and Sanjeev Kumar Arora and the consignments are transported through Delhi and further sold in various parts of Punjab.

13. Considering all the above circumstances but without commenting anything further on the merits of the case, this court is not inclined to grant bail to the petitioner Manoj Kumar Sahu. As such, his petition bearing CRM-M-40092-2023 (O&M) is hereby dismissed.

Petitioner Rishi Kumar:

14. As far as petitioner-Rishi Kumar is concerned, his main contention is that he has been nominated and arrested on the basis of disclosure statement of co-accused Nitin Kumar Yadav; and that said Nitin Kumar Yadav has already been discharged by the Special Court from the provisions of NDPS Act and was later on released on bail.

15. On the other hand, it has been brought to the notice of the Court by ld. State counsel that the bail petition of Nitin Kumar Yadav had earlier been rejected by this Court. It has also been brought to notice of this Court by ld. State counsel that the State has already moved separate petitions not only for cancellation of bail as granted to co-accused Nitin Kumar Yadav by the Special Court, but also for setting aside the order, whereby he has been discharged from the provisions of NDPS Act. Those petitions [CRMs-M-55801-2024 & CRR-2447-2024] are stated to be pending before this Court for 13.01.2025.

16. In the aforesaid facts and circumstances, this Court is of the view that petition of Rishi Kumar *(CRM-M-26362-2023)* should be considered along with those petitions pertaining to Nitin Kumar Yadav.

17 A copy of this order be placed on the file of Rishi Kumar i.e. *CRM-M-26362-2023* and the same be listed on 13.01.2025 along with connected mattes i.e. CRMs-M-55801-2024 & CRR-2447-2024.

10.12.2024 **(DEEPAK GUPTA)**
Vivek **JUDGE**

Whether speaking/reasoned? *Yes*
Whether reportable? *No*