

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
SPECIAL LEAVE PETITION (CRL.) NO. _____ OF 2026

(Under Article 136 of the Constitution of India)

*(Against the final judgment and order dated 24.04.2026 passed in Criminal
Misc. Application No. 9189 of 2026 by the High Court of Gujarat at
Ahmedabad)*

(WITH PRAYER FOR INTERIM RELIEF)

IN THE MATTER OF:

Abbhurera @ Munna S/o Ansar Ahemad Shaikh ...Petitioner

Versus

State of Gujarat ...Respondent

WITH

CRL. M.P. NO. OF 2026

(Application for exemption from official translation)

PAPER – BOOK

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Advocate For the Petitioner: NIVESH KUMAR

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IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CRL.) NO. _____ OF 2026

(Under Article 136 of the Constitution of India)

*(Against the final judgment and order dated 24.04.2026 passed in Criminal
Misc. Application No. 9189 of 2026 by the High Court of Gujarat at
Ahmedabad)*

IN THE MATTER OF:

Abbuhurera @ Munna S/o Ansar Ahemad Shaikh ...Petitioner

Versus

State of Gujarat ...Respondent

OFFICE REPORT ON LIMITATION

1. The petition is/are within time.
2. The Petition is barred by time and there is delay of _____ days in filing the same against order dated 24.04.2026 and petition for condonation of _____ days of delay has been filed.
3. There is delay of _____ days in refiling the petition and petition for condonation of _____ days delay in refiling has been filed.

BRANCH OFFICER

Place: New Delhi

Dated: 12.06.2026

PROFORMA FOR FIRST LISTING

SECTION ____

THE CASE PERTAINS TO (Please tick/check the correct box):

■ Central Act: (Title) Narcotic Drugs and Psychotropic Substances Act, 1985

■ Section: 8(c), 21(c) and 29

■ Central Rule: (Title): N/A

■ Rule No.(s): N/A

■ State Act: (Title): N/A

■ Section: N/A

■ State Rule: (Title) N/A

■ Rule No(s) N/A

■ Impugned Interim Order: N/A

■ Impugned Final Order/Decree: (Date): 24.04.2026

■ Name of Judges: (Name): High Court of Gujarat at Ahmedabad

■ Names of Judges: HONOURABLE MR. JUSTICE M. R. MENGDEY

■ Tribunal/Authority: (Name) N/A

1. Name of Matter: Civil Criminal

2. (a) Petitioner: -Abbhurera @ Munna S/o Ansar Ahemad Shaikh

(b) e-mail ID: N/A

(c) Mobile phone number: N/A

3. (a) Respondent : State of Gujarat

4. (b) e-mail ID: N/A

(c) Mobile Phone Number: N/A

5. (a) Main Category Classification: 15

(b) Sub Classification: 1504

6. Not to be listed before: N/A
7. (a) Similar disposed of matter with citation, if any & case details:
No similar matter has been disposed off
(b) Similar Pending matter with case details: No similar matter pending
8. Criminal Matters:
- a. Whether accused/convict has surrendered: Yes No
- b. FIR NO. 04 of 2024 Date: 18.07.2024
- c. Police Station: ATS Ahmedabad
- d. Sentence Awarded: under trial
- e. Period of Sentence undergone including period of detention/ custody undergone: under trial
- f. Whether any earlier case between the parties is filed: No cases filed
- g. Particulars of the FIR and Case: N/A
- h. Whether any bail application was preferred earlier and decision thereupon: no bail application filed
9. Land Acquisition Matters:
- a. Date of Section 4 notification: N/A
- b. Date of Section 6 Notification: N/A
- c. Date of Section 17 Notification: N/A
10. Tax Matter: State the tax effect: N/A
11. Special Category (first petitioner/appellant only):
- Senior Citizen >65 SC/ST Woman/Child
- Legal Aid Case In Custody
12. Vehicle Number (in case of Motor Accident Claim Matters): N/A
13. Whether there was/is litigation on the same point of law, if yes details thereof: No pending litigation



Nivesh Kumar

Date:- 12.06.2026

AOR FOR PETITIONER

3455

aorniveshkumar@gmail.com

PROCEEDINGS

S.No.	Date of Record of Proceedings	Pages
1.		
2.		
3.		
4.		
5.		
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7.		
8.		
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12.		
13.		
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SYNOPSIS

The present Special Leave Petition is directed against the final order dated 24.04.2026 passed by the High Court of Gujarat at Ahmedabad in Criminal Misc. Application No. 9189 of 2026, whereby the High Court, while permitting the Petitioner to withdraw his bail application, imposed a condition restraining him from filing a fresh bail application for a period of one year and only in the event that there is no progress in the trial.

The moot and substantial question of law that arises for consideration before this Hon'ble Court is whether a High Court, while permitting withdrawal of a bail application, can impose a blanket moratorium restraining an accused from filing a fresh bail application for a period of one year, irrespective of any subsequent change in circumstances, prolonged incarceration, delay in trial, examination of material witnesses, deterioration of health, emergence of new facts, or any other supervening circumstance affecting the liberty of the accused.

The present case raises a larger issue touching upon the scope of judicial discretion in bail matters and the constitutional guarantee of personal liberty under Article 21 of the Constitution of India. The impugned condition virtually suspends the Petitioner's right to seek judicial review of his continued detention for a period of one year and forecloses the jurisdiction of the competent court from considering future developments that may have a direct bearing on the question of bail.

It is respectfully submitted that the right to seek bail is a continuing right and every subsequent bail application constitutes a fresh cause of action founded upon the circumstances existing on the

date of such application. A court may reject or permit withdrawal of a bail application on the facts then existing; however, it cannot prospectively extinguish the right of an accused to approach a court of competent jurisdiction in the event of a material change in circumstances.

The Petitioner is an undertrial prisoner in ATS Police Station Crime No. 04 of 2024 registered for offences punishable under Sections 8(c), 21(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985. The prosecution case arises out of a raid conducted on 18.07.2024 at an industrial premises situated at Darshan Industrial Estate, Kareli Village, Surat, during which 35.409 kilograms of Mephedrone was allegedly recovered from the factory premises and certain persons were apprehended from the spot.

The Petitioner was neither present at the said premises nor apprehended during the raid. He was arrested separately at Mumbai on 20.07.2024, nearly 48 hours after the raid. Significantly, no narcotic drug, psychotropic substance, contraband, precursor chemical, cash, incriminating document, machinery, equipment, or any other article connected with the alleged offence was recovered from the Petitioner, his residence, or any premises under his control. The only article allegedly recovered from his possession was a Samsung Galaxy M-13 mobile phone valued at approximately Rs.3,000/-.

The prosecution case against the Petitioner is founded principally upon the alleged statements of co-accused persons recorded during police custody. Upon completion of investigation, a charge-sheet came to be filed on 09.01.2025 and the case is presently pending as Special NDPS Case No. 4 of 2025 before the Court of the

learned 8th Additional District and Sessions Judge (Special NDPS Court), Surat. The Petitioner has remained in continuous custody since 20.07.2024.

The Petitioner thereafter preferred Criminal Misc. Application No. 9189 of 2026 before the High Court of Gujarat seeking regular bail. During the course of hearing, the Petitioner sought permission to withdraw the application. The High Court permitted such withdrawal. However, while allowing the withdrawal, the High Court further directed that the Petitioner would be at liberty to file a fresh bail application only after the expiry of one year and only if there was no progress in the trial.

The present case, therefore, raises an important question concerning the extent of judicial power while permitting withdrawal of a bail application and whether a court can legally prohibit an accused from filing a fresh bail application for a fixed future period irrespective of subsequent events and changed circumstances.

List of Dates

S. No.	Dates	Particulars
1.	18.07.2024	That on 17.07.2024, the Deputy Superintendent of Police, ATS, Gujarat, received specific intelligence regarding the illegal manufacture of Mephedrone at Darshan Industrial Estate, Kareli Village, Surat, by Accused Nos. 1 and 2, who were allegedly supplying the contraband to one Salim Saiyed of Mumbai. Pursuant thereto, on

E

18.07.2024, the ATS apprehended Accused Nos. 1 and 2 and conducted a raid at the factory premises. During the raid, the ATS allegedly recovered and seized 35.409 kg of Mephedrone, comprising 4 kg of solid Mephedrone and 31.409 kg of liquid Mephedrone, valued at approximately Rs. 51,40,90,000/-, along with other incriminating materials. Thereafter, representative samples of the seized contraband were drawn and forwarded to the Forensic Science Laboratory (FSL) through the Court of the learned Judicial Magistrate First Class, Palsana, purportedly in compliance with Section 52A of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The true copy of the FIR no 4/24 dated 18.07.2024 registered under Section 8(c), 21(c), and 29 of the NDPS Act is marked as **Annexure P-1 (Pages 21 to 39)**.

2. 20.07.2024 The Petitioner came to be arrested on 20.07.2024 in connection with ATS Police Station Crime No. 04/2024, registered on 18.07.2024 for offences punishable under Sections 8(c), 21(c)

F

and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

That the personal search of the Petitioner was conducted on 20.07.2024 at about 16:00 hours, pursuant to which Muddemal Panchnama No. 24/2024 came to be drawn. It is pertinent and of considerable significance to note that the only article allegedly recovered from the possession of the Petitioner was a Samsung Galaxy M-13 mobile handset containing an Airtel SIM Card bearing Mobile No. 7400481204. The said mobile phone was valued at approximately Rs. 3,000/-.

Significantly, no narcotic drug, psychotropic substance, contraband, precursor chemical, cash, incriminating document, equipment, machinery, or any other article connected with the alleged offence was recovered from the person of the Petitioner, his residence, or any premises under his ownership, possession, occupation, or control. In fact, not even a single gram of any narcotic substance was recovered from the Petitioner at any stage of the investigation.

3. 09.01.2025 Upon completion of the investigation, the Respondent-State filed a charge-sheet, pursuant to which Special NDPS Case No. 4 of 2025 is presently pending before the Court of the learned 8th Additional District and Sessions Judge (Special NDPS Court), Surat. The Petitioner has remained in continuous judicial custody since 20.07.2024 and is presently lodged in Central Jail, Lajpore, Surat.

The Petitioner was arrested at Mumbai on 20.07.2024, nearly 48 hours after the raid conducted by the ATS on 18.07.2024. The Petitioner was neither present at the alleged factory premises at the time of the raid nor was he apprehended from the spot. The prosecution case against the Petitioner is founded primarily upon the alleged statements of co-accused persons recorded during their police custody remand between 18.07.2024 and 26.07.2024. Apart from such statements, there is no independent material connecting the Petitioner with the alleged manufacture, possession, or trafficking of the contraband. Furthermore, no contraband,

incriminating article, machinery, equipment, document, or other material connected with the alleged offence was recovered from the possession of the Petitioner or pursuant to any disclosure allegedly made by him.

The true copy of the chargesheet no 5/25 dated 09.01.2025 filed in FIR No 04/24, PS – ATS Police Station, Ahmedabad before Ld. 8th Addl District Judge, Surat, Gujarat is marked as **Annexure P-2 (Pages 40 to 152)**

4. 08.04.2026 The Petitioner preferred a bail application bearing number Criminal Misc. Application No. 9189 of 2026 before Hon'ble High Court of Gujarat at Ahmedabad.

The true copy of the Crl Misc Application No. 9189 of 2026 filed before the Hon'ble High Court of Gujarat at Ahmedabad is marked as **Annexure P-3 (Pages 153 to 181)**

5. 24.04.2026 After hearing the parties at length, the Petitioner sought permission to withdraw the bail application, which was graciously permitted by the High Court. However, while allowing the withdrawal

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of the application, the High Court proceeded to impose a condition that the Petitioner would be at liberty to file a fresh bail application only after the expiry of one year and that too only in the event that there was no progress in the trial. The Petitioner is aggrieved not by the permission granted to withdraw the bail application, but by the aforesaid restrictive condition contained in the impugned order, which effectively curtails the Petitioner's statutory and constitutional right to seek bail on the basis of subsequent events, changed circumstances, prolonged incarceration, delay in trial, or any other supervening factors that may arise during the intervening period. (*Impugned Order*)

6. Hence, present Petition

1

PAGES : 3

CHARGE :32

U/2862/2026

Read By :

Prepared By : MS. PINAL K RABARI

Applied on : 05/06/2026

Examined By :

Prepared on : 08/06/2026

Notified on : 8/6/26

Delivered on : 9/6/26



Dy.S.O.

Section Officer

Decree Department

Decree Department

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
ORDER PASSED BY THE COURT IN THE CASE OF

1 ABBUHURERA @ MUNNA S/O ANSAR AHMED SHAIKH
R/O. (1) 16 , SANT JNANESHWAR NAGAR, RAJU NAGAR,
RAHIWASI SANGH, BANDRA, MUMBAI - 400051

(2) 2022, A.K.G. NAGAR, 60 FOOR ROAD, DHARAVI, MUMBAI -
400 017

(ACCUSED NO.3)

(AT PRESENT APPLICANT IS IN JUD.CUSTODY AT CENTRAL
JAIL, LAJPORE, SURAT SINCE 20.07.2024)

THE HIGH COURT
OF GUJARAT

Applicant(s)

VERSUS

1 STATE OF GUJARAT

NOTICE TO BE SERVED THROUGH THE PUBLIC PROSECUTOR ,
GUJARAT HIGH COURT , SOLA , AHMEDABAD

Respondent(s)

Being CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR BAIL
- AFTER CHARGESHEET) No 9189 of 2026

Appearance on Record:

CR.MA/9189/2026 Application No.: U/2862/2026

CR.MA/9189/2026 Application No.: Order Date: 24/04/2026. Page 1 of
U/2862/2026 3

U/2862/2026

PAGES : 3

Read By:

CHARGE

:32

Prepared By. MS. PINAL K RABARI

:

Applied on : 05/06/2026

Examined

By:

Prepared on : 08/06/2026

Notified on : 08/06/2026

Delivered on : 09/06/2026

Dy.SO

Section

Officer

Decree Department

Decree Department

THE HIGH COURT OF GUJARAT AT AHMEDABAD ORDER PASSED BY THE
COURT IN THE CASE OF

1. ABBUHURERA @ MUNNA S/O ANSAR AHEMAD SHAIKH R/O. (1)
16, SANT JNANESHWAR NAGAR, RAJU NAGAR, RAHIWASI
SANGH, BANDRA, MUMBAI - 400051
2. 2022, A.K.G. NAGAR, 60 FOOR ROAD, DHARAVI, MUMBAI -400
017

(ACCUSED NO.3)

(AT PRESENT APPLICANT IS IN JUD.CUSTODY AT CENTRAL JAIL,
LAJPORE, SURAT SINCE 20.07.2024)

Applicant(s)

VERSUS

1. STATE OF GUJARAT
NOTICE TO BE SERVED THROUGH THE PUBLIC PROSECUTOR,
GUJARAT HIGH COURT, SOLA, AHMEDABAD

Respondent(s)

Being CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR BAIL -
AFTER CHARGESHEET) No 9189 of 2026

Appearance on Record:

AADITYA D BHATT(8580) for the Applicant(s) No. 1
CHANDNI S JOSHI(9490) for the Applicant(s) No. 1
PUBLIC PROSECUTOR(2) for the Respondent(s) No. 1

COURT'S ORDER :

CORAM :
HONOURABLE MR. JUSTICE M. R. MENGDEY
Date of Decision: 24/04/2026
(COPY OF ORDER ATTACHED HEREWITH)



R/CR.MA/9189/2026

ORDER DATED: 24/04/2026

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR SUCCESSIVE REGULAR BAIL -
AFTER CHARGESHEET) NO. 9189 of 2026**



=====

ABBUHURERA @ MUNNA S/O ANSAR AHEMAD SHAIKH
Versus
STATE OF GUJARAT

=====

Appearance:

AADITYA D BHATT(8580) for the Applicant(s) No. 1
CHANDNI S JOSHI(9490) for the Applicant(s) No. 1
MS DHWANI TRIPATHI, APP for the Respondent(s) No. 1

=====

CORAM: HONOURABLE MR. JUSTICE M. R. MENGDEY

Date : 24/04/2026

ORDER

Learned advocate for the petitioner seeks permission to withdraw this petition. Permission as prayed for is granted. The petition stands disposed of as withdrawn. It will be open for the petitioner to file a fresh application after a period of one year if there is no progress in the trial.

sd/-
(M. R. MENGDEY, J)

TRUE COPY

[Signature]
DEPUTY / ASSISTANT REGISTRAR
THIS 08th DAY OF June, 2026

State of Gujarat, Respondent Respondent
ATS Police Station, Survey No. 112, Chharodi
Village, Near Nirma University,
Sarkhej-Gandhinagar Highway, Ahmedabad,
Gujarat 382170
To,

THE HON'BLE CHIEF JUSTICE OF INDIA
AND HIS COMPANION JUSTICES OF
THE SUPREME COURT OF INDIA

HUMBLE PETITION ON BEHALF
OF THE PETITIONER ABOVE
NAMED

MOST RESPECTFULLY SHOWETH:

1. The present Special Leave Petition is directed against the final order dated 24.04.2026 passed by the High Court of Gujarat at Ahmedabad in Criminal Misc. Application No. 9189 of 2026, whereby the High Court, while permitting the Petitioner to withdraw his bail application, imposed a condition restraining him from filing a fresh bail application for a period of one year and only in the event if there is no progress in the trial.

2. **QUESTIONS OF LAW**

The following questions of law arise for consideration by this Hon'ble Court:

- a) Whether a High Court, while permitting withdrawal of a bail application, can legally impose a blanket condition restraining an accused from filing a fresh bail application for a fixed period of one year?

- b) Whether the right to seek bail is a continuing statutory and constitutional remedy which cannot be prospectively suspended, curtailed, or extinguished by a judicial order?
- c) Whether a direction prohibiting an accused from filing a fresh bail application for one year, irrespective of any subsequent change in circumstances, prolonged incarceration, delay in trial, examination of witnesses, deterioration in health, or any other supervening circumstance, is arbitrary, unreasonable, and violative of Article 21 of the Constitution of India?
- d) Whether successive bail applications, being maintainable upon the emergence of fresh grounds or changed circumstances, can be prospectively barred by a judicial direction operating for a fixed future period?
- e) Whether the impugned condition has the effect of foreclosing the jurisdiction of the competent court from considering future developments relevant to the liberty of an undertrial prisoner and is therefore contrary to the settled principles governing bail jurisprudence?
- f) Whether a court, having permitted withdrawal of a bail application, can further impose a condition that effectively prevents the accused from invoking available statutory remedies in future on the basis of subsequent events?
- g) Whether the impugned condition amounts to an impermissible restriction on the Petitioner's

fundamental right to seek protection of personal liberty guaranteed under Article 21 of the Constitution of India?

h) Whether a judicially imposed moratorium on the filing of a fresh bail application, without reference to future facts and circumstances that may arise, is sustainable in law?

3. **DECLARATION IN TERMS OF RULE 2(2):**

The Petitioner states that no other Petition seeking leave to appeal has been filed by the Petitioner against the impugned judgment and final judgment and order dated 24.04.2026 passed in Criminal Misc. Application No. 9189 of 2026 by the High Court of Gujarat at Ahmedabad.

4. **DECLARATION IN TERMS OF RULE 4:**

The Annexure P-1 - P-3 produced alongwith the SLP is true copy of the pleadings / documents which formed part of the records of the case in the Courts below against whose order the leave to appeal is sought for in this petition.

5. **GROUND**

The present petition is being filed, inter-alia, on following amongst other grounds being taken without prejudice to each other:

A. BECAUSE the impugned order, insofar as it restrains the Petitioner from filing a fresh bail application for a period of one year, is ex facie arbitrary, unreasonable and contrary to the settled principles governing bail jurisprudence.

B. BECAUSE the High Court failed to appreciate that the right to seek bail is a continuing right and every

subsequent bail application constitutes a fresh cause of action based upon the facts and circumstances existing on the date of such application.

- C. BECAUSE the High Court, while permitting withdrawal of the bail application, could not have prospectively curtailed the Petitioner's statutory and constitutional remedies by imposing a blanket embargo against filing a fresh bail application for a fixed future period.
- D. BECAUSE the impugned condition effectively prevents the competent court from considering subsequent developments that may arise during the intervening period, including prolonged incarceration, delay in trial, examination of material witnesses, deterioration in health, change in evidence, or any other supervening circumstance having a direct bearing on the question of bail.
- E. BECAUSE the impugned condition has the effect of suspending the Petitioner's right to seek judicial review of his continued detention and thereby impermissibly infringes the guarantee of personal liberty enshrined under Article 21 of the Constitution of India.
- F. BECAUSE personal liberty cannot be made subject to a judicially created moratorium that prevents an undertrial prisoner from approaching a court of competent jurisdiction notwithstanding the occurrence of circumstances warranting reconsideration of bail.
- G. BECAUSE the High Court failed to appreciate that the Petitioner has remained in continuous judicial custody since 20.07.2024 and that the question whether

continued incarceration is justified must necessarily remain open for judicial scrutiny from time to time.

- H. BECAUSE the impugned direction virtually amounts to a pre-emptive rejection of all future bail applications that may be filed by the Petitioner during the period of one year without considering the facts and circumstances that may exist on the date of such future applications.
- I. BECAUSE the condition imposed by the High Court is unsupported by any reasons and has been imposed mechanically without indicating any legal basis for depriving the Petitioner of his right to approach the competent court in future.
- J. BECAUSE the impugned direction has the effect of foreclosing the jurisdiction of the competent court to consider future applications for bail and thereby defeats the very purpose of judicial review of continued detention.
- K. BECAUSE this Hon'ble Court has consistently held that constitutional courts are duty-bound to safeguard personal liberty and that procedural or statutory restrictions cannot be interpreted in a manner that results in unjustified or indefinite deprivation of liberty.
- L. BECAUSE the impugned condition is disproportionate and manifestly unjust inasmuch as it operates irrespective of any change in circumstances and without regard to the progress of the trial, the conduct of the prosecution, or the length of incarceration undergone by the Petitioner.

6. **GROUNDS FOR INTERIM RELIEF:**

- (a) Because the impugned order, insofar as it restrains the Petitioner from filing a fresh bail application for a period of one year, causes immediate and continuing prejudice to the Petitioner by depriving him of the right to seek consideration of bail on the basis of subsequent events and changed circumstances.
- (b) Because the Petitioner has remained in continuous judicial custody since 20.07.2024 and any delay in removing the impugned restriction would result in irreparable injury to his fundamental right to personal liberty guaranteed under Article 21 of the Constitution of India.
- (c) Because the impugned condition effectively forecloses the Petitioner's access to the jurisdiction of the competent court for a period of one year, irrespective of any supervening circumstances such as delay in trial, prolonged incarceration, examination of material witnesses, deterioration of health, or emergence of fresh grounds warranting consideration of bail.
- (d) Because unless the operation of the impugned condition is stayed, the Petitioner would be rendered remediless during the currency of the one-year embargo, notwithstanding the occurrence of circumstances which may otherwise entitle him to seek appropriate relief in accordance with law.
- (e) Because the balance of convenience lies in favour of the Petitioner and no prejudice whatsoever would be caused to the Respondent-State if the Petitioner is permitted to approach the competent court by filing an appropriate bail application, which would in any event be decided on its own merits and in accordance with law.

- (f) Because the challenge in the present Special Leave Petition is confined only to the legality of the one-year restriction imposed by the High Court and does not seek any adjudication on the merits of the Petitioner's claim for bail.
- (g) Because a strong prima facie case exists in favour of the Petitioner inasmuch as the impugned condition is contrary to the settled principles governing successive bail applications and the constitutional mandate of protecting personal liberty.
- (h) Because the Petitioner would suffer irreparable loss and injury if the impugned condition is allowed to operate during the pendency of the present Special Leave Petition.
- (i) Because the Hon'ble High Court has failed to appreciate that the appointment of Medical Board at belated stage will cause injustice to the victims as the injury sustained by the victim have already been healed and no fruitful purpose would be served.

7. MAIN PRAYER:

In the premises said forth above, it is therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to: -

- (a) Grant Special Leave to Appeal against the final order dated 24.04.2026 passed by the High Court of Gujarat at Ahmedabad in Criminal Misc. Application No. 9189 of 2026;
- (b) Pass such other order or orders which this Hon'ble Court may deem fit and proper in the interest of justice.

8. INTERM RELIEF:

In the circumstances, it is therefore, most humbly prayed, that this Hon'ble Court may graciously be pleased to:-

(a) stay the operation, implementation and effect of that part of the impugned order dated 24.04.2026 passed by the High Court of Gujarat at Ahmedabad in Criminal Misc. Application No. 9189 of 2026 whereby the Petitioner has been restrained from filing a fresh bail application for a period of one year and only in the event that there is no progress in the trial; and

(b) Pass such other order or orders which this Hon'ble Court may deem fit and proper in the interest of justice.

AND FOR THIS ACT OF KINDNESS THE PETITIONER
AS IN DUTY BOUND SHALL EVER PRAY

Draft Settled by
Himanshu Mishra
(Adv)

Filed by:



NIVESH KUMAR
ADVOCATE FOR THE
PETITIONER

Filed on: 12.06.2026
Place: New Delhi

AOR Code No. 3455
E-mail: aorniveshkumar@gmail.com
Mobile: 9818245902

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
SPECIAL LEAVE PETITION (CRL.) NO. _____ OF 2026
(Under Article 136 of the Constitution of India)

IN THE MATTER OF:

Abbuhurera @ Munna S/o Ansar Ahemad Shaikh ...Petitioner

Versus

State of Gujarat ...Respondent

CERTIFICATE

Certified that the Special Leave Petitions are confined only to the pleadings before the Court whose order is challenged and the other documents relied upon in those proceedings. additional facts, documents or grounds have been taken therein or relied upon in the Special Leave Petitions. It is further certified that the copies of the documents/Annexures attached to the Special Leave Petitions are necessary to answer the questions of law raised in the Petitions. This certificate is given on the basis of the instructions given by the Petitioner/person authorized by the Petitioners whose affidavit is filed in support of the Special Leave Petition.

Filed by:



NIVESH KUMAR
ADVOCATE FOR THE
PETITIONER

AOR Code No. 3455

E-mail: aorniveshkumar@gmail.com

Mobile: 9818245902

Filed on: 12.06.2026

Place: New Delhi



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLANTE JURISDICTION

SPECIAL LEAVE PETITION NO. OF 2026

11/6/2026
12/30/26
SM-147
11/6/26

IN THE MATTER OF:

Abbhurera @ Munna S/o Ansar

Ahemad Shaikh

...Petitioner

Versus

State of Gujarat

...Respondent

AFFIDAVIT

I, Abu Bakar, S/o Ansar Ahemad Shaikh, age 50, R/o, 25a, Shamim Market Shivala, Bamrouli Uparhar, PO: Bamrauli, Dist: Prayagraj, Uttar Pradesh - 211012, do hereby solemnly affirms and states as follows: -

1. I am the elder brother of the Petitioner and also the pairokar. I am doing pairvi on behalf of both the Petitioner/accused named above. I am well conversant with the facts and circumstances of the case, thus competent to swear this affidavit.
2. I state that I have read understood the contents of the above said Petition containing Synopsis & List of Dates pages "B" to I and contents of para 1 to 8 at Page No. 4 to 12 and all connected application and state that the fact mentioned therein are true to my knowledge and belief and information derived from the records of the case as per legal advice received and believed by me I say the facts and circumstances stated in the Petition and connected application are true and correct.



- 3. That the annexures filed along with the Petition are true copies of their respective original.
- 4. I say that the content of the fact stated herein above are explained to me in vernacular language and are true to my knowledge and no part of it is false and nothing material concealed there from.

Abu Bakir
DEPONENT

VERIFICATION

The above name deponent performs that the contents of para 1 to 4 of this affidavit are true and correct to my best of my knowledge and belief and no part of its false and nothing material has been concealed there from.

Verified at _____ on this ___ June, 2026

Abu Bakir
DEPONENT

ATTESTED
 Balendu Bhushan Mishra
 Advocate/Notary Prayagraj
 Govt. of India



SOLEMNLY AFFIRMED before me
 by Sri/Smt. *Abu Bakir*
 I.D. by *Balendu Bhushan Mishra* AetV
Bm 11/6/25
 Balendu Bhushan Mishra
 Advocate/Notary Prayagraj
 Govt. of India

IDENTIFIED BY
Abu Bakir
ADVOCATE

APPENDIX – 1

THE NARCOTIC DRUGS AND PSYCHOTROPIC
SUBSTANCES, ACT, 1985 PROHIBITION,
CONTROL AND REGULATION

8. Prohibition of certain operations.—No person shall—

- a) cultivate any coca plant or gather any portion of coca plant;
or
- b) cultivate the opium poppy or any cannabis plant; or
- c) produce, manufacture, possess, sell, purchase, transport, warehouse, use, consume, import inter-State, export inter-State, import into India, export from India or tranship any narcotic drug or psychotropic substance,

except for medical or scientific purposes and in the manner and to the extent provided by the provisions of this Act or the rules or orders made thereunder and in a case where any such provision, imposes any requirement by way of licence, permit or authorisation also in accordance with the terms and conditions of such licence, permit or authorisation:

Provided that, and subject to the other provisions of this Act and the rules made thereunder, the prohibition against the cultivation of the cannabis plant for the production of *ganja* or the production, possession, use, consumption, purchase, sale, transport, warehousing, import inter-State and export inter-State of *ganja* for any purpose other than medical and scientific purpose shall take effect only from the date which the Central Government may, by notification in the Official Gazette, specify in this behalf:

Provided further that nothing in this section shall apply to the export of poppy straw for decorative purposes.

21. Punishment for contravention in relation to manufactured drugs and preparations.—

Whoever, in contravention of any provision of this Act or any rule or order made or condition of licence granted thereunder, manufactures, possesses, sells, purchases, transports, imports inter-State, exports inter-State or uses any manufactured drug or any preparation containing any manufactured drug shall be punishable,—

- a) where the contravention involves small quantity, with rigorous imprisonment for a term which may extend to 4[one year], or with fine which may extend to ten thousand rupees, or with both;
- b) where the contravention involves quantity, lesser than commercial quantity but greater than small quantity, with rigorous imprisonment for a term which may extend to ten years, and with fine which may extend to one lakh rupees;
- c) where the contravention involves commercial quantity, with rigorous imprisonment for a term which shall not be less than ten years but which may extend to twenty years, and shall also be liable to fine which shall not be less than one lakh rupees but which may extend to two lakh rupees:

Provided that the court may, for reasons to be recorded in the judgment, impose a fine exceeding two lakh rupees.

29. Punishment for abetment and criminal conspiracy.—(1)

Whoever abets, or is a party to a criminal conspiracy to commit, an offence punishable under this Chapter, shall, whether such offence be or be not committed in consequence of such abetment or in pursuance of such criminal conspiracy, and notwithstanding anything contained in section 116 of the Indian Penal Code (45 of

1860), be punishable with the punishment provided for the offence.

(2) A person abets, or is a party to a criminal conspiracy to commit, an offence, within the meaning of this section, who, in India, abets or is a party to the criminal conspiracy to the commission of any act in a place without and beyond India which—

- (a) would constitute an offence if committed within India; or
- (b) under the laws of such place, is an offence relating to narcotic drugs or psychotropic substances having all the legal conditions required to constitute it such an offence the same as or analogous to the legal conditions required to constitute it an offence punishable under this Chapter, if committed within India.

Annexure P-1

First Information Report of a Cognizable Crime

Under Section 154 of the Criminal Procedure Code

1. District: Ahmedabad P.S.: A.T.S. Year: 2024 FIR
No.: 4/24; Date: 18/07/2024

2. Act: N.D.P.S. Act; Sections: 8(c), 21(c), 29

3. Date and Time of Occurrence of Offense:

From Date: 17/03/2024 To Date: 18/07/2024 Until Hour: —

Date Reported at the P.S.: 18/07/2024 Time: 06:00 Station
Diary Entry [GD Entry] No.: 02, Time: 06:00

4. Type of Information: Written or Oral: Written

5. Place of Occurrence:

[a] Distance and direction from P.S.: — Beat
Number/R.O./Chowki Name: — [b] Address: Tin Shed
Nos. 12, 13 rented in Darshan Industrial Estate, located at
Kareli Village, Palsana Taluka, Surat District. (*Lat/Long:*
21.1463460 N, 73.0441270 E)

[c] If outside the limits of this Police Station, Name of
P.S.: — \quad District/City: — State: —

6. Complainant / Informant:

[a] Name: Shri C.A. Panara [b] Father's/Husband's Name:
— Designation: Police Inspector

[j] Occupation: Service Address: A.T.S. Office, Gujarat
State, Ahmedabad.

7. Details, Names, Addresses of Accused Persons:

1. Sunil Rajnarayan Yadav residing at: Room No. 202, B-2, Wing, Krishna Complex, Vapi.
2. Vijaybhai Jethabhai Gajera residing at: Flat B-301, Riverside Academy, Savaliya Circle, Yogi chowk, Varachha, Surat.

3. Wanted Accused:

- (1) Hareshbhai Korat
- (2) Salim Syed residing in Mumbai, Mo. No. 9004468068
- (3) Munna Mo. No. 7400481204
- (4) Sultan Mo. No. 7400358357
- 10. Total Value of Stolen Property: —
- 11. Accidental Death Number [if any]: —

12. Brief Facts / Details of First Information:

In this case, the aforementioned accused Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera, along with their partner Hareshbhai Korat, acting in partnership and through mutual assistance, set up manufacturing machinery and equipment inside the rented tin shed numbers 12 and 13 located at Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, to illegally manufacture the narcotic substance Mephedrone. Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera were caught red-handed at the spot with a commercial quantity consisting of 4 Kilograms of Mephedrone and 31.409 Kilograms of liquid Mephedrone, totalling an estimated value of Rs. 51,40,60,000/-. Furthermore, during questioning regarding the offense, it was

revealed that they had sold batches to Salim Syed Mo. No. 9004468068, his associate Munna Mo. No. 7400481204, and Sultan Mo. No. 7400358357, thereby committing the offense.

[b] Shri C.A. Panara Designation/Buckle No.: Police Inspector - A.T.S. assigned for investigation.

Date: 18/07/2024

I, C.A. Panara, Police Inspector, A.T.S., G.R., Ahmedabad, submit this complaint on behalf of the State, stating that on 17/07/2024, while I, along with other officers and staff of the A.T.S., was on duty at the A.T.S. Police Station, Shri S.L. Chaudhary, Deputy Superintendent of Police, A.T.S., received specific intelligence from a reliable informant at around 06:00 hours.

The intelligence revealed that Vijay Gajera, Sunil Yadav, and Haresh Korat are illegally manufacturing the narcotic substance Mephedrone inside rented tin shed numbers 12 and 13 located at Darshan Industrial Estate in Kareli Village, Palsana Taluka, Surat District, and are selling it to a person named Salim Syed of Mumbai.

Upon receiving this information, an entry was recorded on a blank piece of paper and registered in the secret intelligence register. This intelligence was subsequently communicated in writing to the D.I.G.P. Shri, A.T.S. Upon verification of the facts of the intelligence, written orders to conduct a raid were issued by the D.I.G.P. Shri, A.T.S. Following the orders, a raid party was instantly formed consisting of myself, A.T.S. Police Sub-Inspectors (P.S.I.) Shri B.D. Vaghela, Shri M.N. Patel, Shri H.D. Vadher, Shri B.J. Patel, and Assistant Sub-Inspector (A.S.I.) Ajaybhai Kalidas (Buckle No. 81).

The team also included Head Police Constable Yuvrajsinh Hakubha (Buckle No. 362), Head Police Constable Vijaybhai Dahyabhai (Buckle No. 422), Head Police Constable Arifkhan Peerkhan (Buckle No. 655), Police Constable Khengarbhai Rameshbhai (Buckle No. 1692), Police Constable Yuvrajsinh Indrasinh (Buckle No. 1537), Police Constable Irfanbeg Abdulbeg (Buckle No. 135), Police Constable Jatinkumar Harishbhai (Buckle No. 732), Police Constable Mohammad Anjum Mehmood Hussain (Buckle No. 1231), Police Constable Ranveersinh Rameshbhai (Buckle No. 1698), and Police Constable Vijaybhai Chandubhai (Buckle No. 262).

Equipped with the necessary raiding gear, including laptops, a printer, sealing wax, twine, cloth bags, small and large plastic containers, stationery, and torchlights, the team assembled in the P.S.O. office. A Station Diary entry regarding the raid at the specified location was recorded at the A.T.S. Police Station under Entry No. 4/2024 dated 17/07/2024 at 06:30 hours.

The team split into two government vehicles: Bolero No. GJ-18-GB-6367 carried myself, P.S.I. Shri B.D. Vaghela, P.S.I. Shri M.N. Patel, Police Constable Khengarbhai Rameshbhai, Head Police Constable Vijaybhai Dahyabhai, and Police Constable Yuvrajsinh Indrasinh along with the primary equipment. Government Bolero No. GJ-18-GB-6360 carried P.S.I. Shri H.D. Vadher, P.S.I. Shri B.J. Patel, Police Constable Irfanbeg Abdulbeg, Head Police Constable Arifkhan Peerkhan, A.S.I. Ajaybhai Kalidas, Police Constable Jatinkumar Harishbhai, Police Constable Mohammad Anjum Mehmood Hussain, and the remaining staff.

The raid party departed from the A.T.S. office toward the target location. Upon arriving near the Kadodara crossroads, we parked our government vehicles and discreetly proceeded to verify the exact location of the targeted chemical shed. After confirming the site details, plans were finalized to execute the raid post-midnight after 24:00 hours. To secure independent public witnesses (Panchas) for the raid, a telephonic request was placed at 21:00 hours to the Block Development Officer (Taluka Vikas Adhikari), Taluka Panchayat Office, Palsana, Surat, requesting them to depute staff members at the Dastan Railway Overbridge near the lower gate at 24:00 hours informed. Similarly, the F.S.L. officers were also informed at around 21:00 hours to meet us near the railway gate below the Dastan Railway Overbridge at 24:00 hours on their mobile phones. Meanwhile, we, along with the aforementioned raid party police officers and staff, reached the railway gate below the Dastan Overbridge. In the meantime, at around 22:30 hours, A.T.S. P.S.I. Shri B.J. Patel, Head Police Constable Yuvrajsinh Hakubha, Police Constable Ranveersinh Rameshbhai, and Police Constable Vijaybhai Chandubhai came in the government Innova vehicle bearing number GJ-11-GA-0362 and joined us.

During this time, on 18/07/2024 at around 00:10 hours, F.S.L. Officer Shri K.V. Vyas, Scientific Officer, arrived at the spot on his mobile investment van from Surat Rural. At around 00:15 hours, two individuals called to act as public witnesses (Panchas)—(1) Rati Sodabhai Jalodhra and (2) Bharat Balabhai Valadani—arrived at the spot. We briefed both the Panchas regarding the confidential intelligence, and upon understanding the facts, they voluntarily consented to act as independent witnesses in this panchnama process.

Thereafter, we introduced the Panchas to ourselves, the officers and staff of the raid party, and the F.S.L. officer. Following this, the drivers of the raid party's government vehicles—Police Constable Kishansinh Sumantsinh (Buckle No. 475) for Bolero No. GJ-18-GB-6367, Head Police Constable Maheshbhai Motibhai (Buckle No. 355) for Bolero No. GJ-18-GB-6360, and Police Constable Radhabhai Ji. Satkiya (Buckle No. 753) for Innova No. GJ-11-GA-0362—were presented.

A mutual body search and personal search of the Panchas, the raiding officers, and the accompanying staff was conducted in front of the Panchas. No narcotic substances, illegal articles, or incriminating objects were found on anyone's person. Furthermore, a thorough search of all three government vehicles was conducted in the presence of the Panchas, and no narcotic substances or incriminating items were detected inside them.

Following this, the seating arrangements in the vehicles were organized. In the government Bolero No. GJ-18-GB-6367, driver Police Constable Kishansinh took the driver's seat, with Head Police Constable Yuvrajsinh Hakubha sitting in the adjacent front seat. In the middle seat, Panch Number (1) sat on the left side, and Panch Number (2) sat on the right side. In the rear row, P.S.I. Shri M.N. Patel sat on the left-side seat, and A.S.I. Ajaybhai Kalidas sat on the right-side seat.

In the government Bolero No. GJ-18-GB-6360, driver Maheshbhai took the driver's seat. In the middle seat, P.S.I. Shri H.D. Vadher sat on the left, Head Police Constable Arifkhan Peerkhan sat in the center, and Police Constable Vijaybhai Dahyabhai sat on the right side. In the rear row, Police Constable Mohammad Anjum Mehmood Hussain sat on the left-side seat,

and Police Constable Khengarbhai Rameshbhai sat on the right-side seat.

In the government Innova vehicle bearing number GJ-11-GA-0362, driver Police Constable Radhabhai took the steering wheel. In the front passenger seat next to the driver, P.S.I. Shri B.D. Vaghela sat alongside P.S.I. Shri B.J. Patel. In the middle row, Police Constable Ranveersinh Rameshbhai sat on the left side, and Police Constable Vijaybhai Chandubhai, Police Constable Irfanbeg Abdulbeg, and Police Constable Yuvrajsinh Indrasinh sat together.

A preliminary panchnama recording these initial proceedings was drawn up from 00:15 hours to 00:35 hours departed to conduct a raid at the location of the aforementioned intelligence. Our vehicle was kept in the front, and the remaining vehicles were kept behind. We stopped the vehicles in front of a large tin shed located in Darshan Industrial Estate. Upon stepping down and checking the tin shed, a light was on in the front portion inside. On opening the door of the tin shed, it was observed that two individuals were sitting on plastic chairs near the door and talking to each other. We immediately cordoned them off with the help of the raid party's A.T.S. police officers and staff, as well as the F.S.L. officer. We and the two Panchas introduced ourselves to them. Upon asking the name of person number (1) in front of the Panchas, he stated his name as Sunil Rajnarayan Yadav, age 26 years, residing at Room No. 202, B-2 Wing, Dev Tapovan, Vapi. Upon asking the name of person number (2), he stated his name as Vijaybhai Jethabhai Gajera, age 38 years, residing at B/301, Harivila Residency, Savaliya Circle, Yogichowk, Varachha, Surat.

As it was night time and taking into account that if there is a delay in conducting a body search and search for the narcotic substance Mephedrone, the accused might flee or conceal the narcotic substance case property or destroy it, and as it is between sunset and sunrise, to initiate the search proceedings of these two persons inside the shed, we recorded a compliance report as per the proviso of Section 42(1) of the N.D.P.S. Act, which was signed by us and the Panchas. We then forwarded this information from our mobile WhatsApp number 9409199285 via WhatsApp to the D.I.G.P. Shri, A.T.S. on his mobile WhatsApp number 9978408721, which was seen by him.

Thereafter, the aforementioned Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera were made to understand by us in the presence of the Panchas that, "We have received specific intelligence that both of you and Hareshbhai Korat, inside this tin shed numbers 12 and 13 in your joint possession situated at Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, are manufacturing the narcotic substance Mephedrone without any pass or permit. We have to conduct a search inside this shed under your possession and a personal search of both of you in the presence of the Panchas. Even though we are Gazetted rank Police Officers, if you wish to have your shed searched and your body search conducted in the presence of any other Gazetted Officer or a Magistrate, we can arrange for the same." In response to this, both of them stated that they do not want any other Magistrate or Gazetted Officer to be present for the search and that we may proceed with the search. Therefore, we typed a notice under Section 50 of the N.D.P.S. Act in three copies, which was signed by us and the Panchas. After explaining the contents of the

notice to both of them, one copy was given to them, and their signatures were obtained on the acknowledgement copy.

Thereafter, we recorded a search resolution as per Section 42 of the N.D.P.S. Act regarding the search of the quantity of the narcotic substance Mephedrone stored illegally without any pass or permit inside the tin shed numbers 12 and 13 under the joint possession and occupancy of the aforementioned (1) Sunil Rajnarayan Yadav, (2) Vijaybhai Jethabhai Gajera, and (3) Hareshbhai Korat, located at Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, as well as for conducting a search of their bodies. We and the Panchas signed the said resolution copy, and the signatures of the aforementioned Sunil and Vijaybhai were obtained on it.

Thereafter, we and the Panchas made the aforementioned Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera understand that, "We have received definite intelligence that you and Hareshbhai Korat, inside this tin shed numbers 12 and 13 in your joint possession and occupancy situated at Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, are manufacturing the narcotic substance Mephedrone without any pass or permit. Therefore, before conducting a search inside the said shed under your possession, you may conduct a search of my body, the bodies of the accompanying Panchas, as well as the bodies of the accompanying police officers and staff. This is your legal right." In response to this, both of them stated that they do not wish to search anyone's body. Therefore, we typed a consent form regarding this matter in three copies, which was signed by us and the Panchas, and after explaining the contents of the consent form to both of them, one copy each was handed over to them, and their signatures were obtained on the spot copy.

Thereafter, keeping the said Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera with us in the presence of the Panchas, upon entering the door of the said shed under their possession to search for the quantity of Mephedrone, a large khaki-colored open cardboard box was found on the left side. Inside it, hidden beneath small pieces of white thermocol, a white transparent plastic round container was found. Upon taking the container out and opening its lid, a bundle of 4 plastic zip-lock pouches containing a substance was found inside. On observing these four plastic pouches, they were parrot-green, white, and yellow in color. On one side of these four pouches, text in English was written such as "Patel Storage & Freezer Bags For Storage", along with images of fruits, dry fruits, and pulses. On the other side, "Storage & Freezer Bags" etc. was written, and below that, an image of an apple was printed. On opening all four pouches, a uniform light-pink colored powder and moisture-laden substance in the form of lumps was found inside all four pouches. Upon questioning the said Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera regarding this substance, they stated that it was Mephedrone inside all four pouches. Thereafter, the substance found inside the four pouches was tested by F.S.L. Officer Shri K.V. Vyas using his narcotic drugs detection kit, and the test result was found to be positive. Thereafter, keeping the said Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera with us while conducting the search operation inside the shed, a maroon-colored liquid was found inside a steel vessel placed on top of an electric heater in the east-south corner of the shed. Upon questioning both of them regarding this liquid, they stated that this is liquid Mephedrone, and by heating it, Mephedrone is manufactured into powder and lump form. When this liquid was tested by F.S.L. Officer Shri K.V.

Vyas using his narcotic drugs detection kit, the test result was found to be positive, about which he has given a written on-the-spot analysis report.

Thereafter, from next to the bags of powder, empty zip-lock plastic pouches with the "Patel Storage & Freezer Bags" brand marking, 3 pieces of empty gunny bags, and an electronic digital weighing scale with text markings reading "ATOM Digital Kitchen Scale, Model A 124" etc. was found in working condition in a black color inside its box. In front of the steel vessel placed on the aforementioned electric heater, a large glass vessel connected with a P.V.C. pipe was found, which was used for crystallization of the product prepared in the reactor.

Thereafter, keeping the said Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera with us while conducting the search operation inside the shed, four blue-colored iron barrels filled with chemicals were found near the western wall of the shed. Upon questioning both of them regarding this matter, they stated that Acetone chemical was inside all four barrels. Each barrel contained 200 liters, totalling 800 liters of Acetone chemical across the four (4) barrels. A centrifuge machine made of steel was placed on the left side of the two barrels, and next to it, a large reactor was set up. An iron ladder was constructed to access the top of the reactor, and a platform was made to observe the process inside the reactor. Necessary electric supply lines and P.V.C. pipelines were connected to the said reactor. In front of the reactor, at a distance of about ten feet, a fiber rectangular tub was found containing coloured waste water.

When we demanded a pass or permit from the said Sunil and Vijaybhai for manufacturing the narcotic substance Mephedrone

and keeping it inside the shed under their possession and occupancy, they stated that they did not possess any.

Thereafter, upon testing the electronic weighing scale brought along by us during the raid by connecting it to the electric switchboard through P.S.I. Shri B.J. Patel, the weighing scale was found to be in proper working condition. We then weighed the four pouches filled with the narcotic substance Mephedrone found from their shed, in the presence of the Panchas and in the presence of the said Sunil and Vijaybhai, which weighed as per the details below:

(1) The plastic zip-lock pouch bearing the brand marking "Patel Storage & Freezer Bags" filled with Mephedrone weighed 1017 grams. The weight of the empty plastic pouch of the same weighing 17 grams; therefore, the net weight of Mephedrone inside the said pouch is 1 Kilogram, and this pouch has been designated as Serial Number 1.

(2) The plastic zip-lock pouch bearing the brand marking "Patel Storage & Freezer Bags" filled with Mephedrone weighed 1017 grams. Similarly, the weight of the empty plastic pouch of the same was 17 grams; therefore, the net weight of Mephedrone inside the said pouch is 1 Kilogram, and this pouch has been designated as Serial Number 2.

(3) The plastic zip-lock pouch bearing the brand marking "Patel Storage & Freezer Bags" filled with Mephedrone weighed 1017 grams. Similarly, the weight of the empty plastic pouch of the same was 17 grams; therefore, the net weight of Mephedrone inside the said pouch is 1 Kilogram, and this pouch has been designated as Serial Number 3.

(4) The plastic zip-lock pouch bearing the brand marking "Patel Storage & Freezer Bags" filled with Mephedrone weighed 1017 grams. Similarly, the weight of the empty plastic pouch of the same was 17 grams; therefore, the net weight of Mephedrone inside the said pouch is 1 Kilogram, and this pouch has been designated as Serial Number 4.

Thereafter, all four plastic pouches containing Mephedrone were kept as they were inside a transparent round plastic container. The lid of the container was closed, and this plastic container has been designated as Mark-A.

Thereafter, to measure the weight of the maroon-coloured liquid Mephedrone found inside the steel vessel on the electric heater, it was poured into empty plastic carboys. On filling this liquid Mephedrone into 20-liter capacity carboys, one carboy was completely filled, and the second carboy was filled to about half. Upon weighing the completely filled carboy on the electronic weighing scale, it weighed 22.930 Kilograms. Thus, the net weight of the liquid Mephedrone inside the said carboy is 21.707 Kilograms, and this carboy has been designated as Mark-B.

Similarly, upon weighing the half-filled carboy, it weighed 10.225 Kilograms. The net weight of the Mephedrone liquid inside the said carboy is 9.702 Kilograms, which has been designated as Mark-C.

The total liquid Mephedrone inside both the aforementioned carboys is 31.409 Kilograms.

The aforementioned 4 plastic pouches filled with Mephedrone, placed inside the plastic round container, were wrapped with a white thread over the container's lid, and a paper slip bearing the signatures of the Panchas and ourselves was placed over the caps

of both the carboys filled with liquid Mephedrone. These were securely tied, and all three items were sealed with lacquer using the official stamp of the Police Inspector, A.T.S., G.R., Ahmedabad.

Thereafter, upon conducting a personal search of the said Sunil Rajnarayan Yadav in the presence of the Panchas, 2 mobile phones and cash amounting to Rs. 18,600/- were recovered from the front right pocket of the blue jeans worn by him, the details of which are as follows:

(1) One black-colored Realme company mobile phone, model RMX 3710, whose IMEI numbers upon checking are (1) 852285068934092/59 and (2) 862286068934084/59. It contains a Jio company SIM card. Upon questioning the said Sunil regarding the mobile number, he stated it to be 7045446134. Its value can be estimated at approximately Rs. 5,000/-.

(2) One sky-blue-colored Samsung Galaxy company mobile phone, model A-33, whose IMEI numbers upon checking are (1) 350995415809265 and (2) 351567425809269. It contains a Jio company SIM card. Upon questioning the said Sunil regarding the mobile number, he stated it to be 7486826674. Its value can be estimated at approximately Rs. 5,000/-.

(3) Indian currency amounting to Rs. 18,600/-, which consists of 34 currency notes of Rs. 500/- denomination and 16 currency notes of Rs. 100/- denomination.

Upon inspecting the body of the said person, no signs of fresh injuries or abrasions were found.

Thereafter, we conducted a personal search of number (2) Vijaybhai Jethabhai Gajera in the presence of the Panchas. Upon searching him, 1 mobile phone and cash amounting to Rs. 1,400/-

were found from the front right pocket of the off-white colored jeans worn by him, the details of which are as follows:

(1) One grey-colored Vivo Y73 company mobile phone. Its IMEI numbers upon checking are (1) 868188055112159 and (2) 868188055112142. It contains an Airtel company SIM card. Upon questioning the said Vijaybhai regarding the mobile number, he stated it to be 9662653801. Its value can be estimated at approximately Rs. 5,000/-.

(2) Indian currency amounting to Rs. 1,400/-, which consists of 2 currency notes of Rs. 500/- denomination and 2 currency notes of Rs. 200/- denomination.

Upon inspecting the body of the said person, no signs of fresh injuries or abrasions were found.

Upon asking the said Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera: "Since when have you started the work of manufacturing the narcotic substance Mephedrone inside the shed under your possession and occupancy? And who else are partners with you in this illegal Mephedrone business? And to whom have you previously sold the stock of Mephedrone manufactured in your shed?" In response to this, both of them stated in the presence of the Panchas that both of them, along with Hareshbhai Korat, had entered into a partnership and started manufacturing Mephedrone since February 2024. They further stated that they had previously manufactured approximately 30 kilograms of Mephedrone in separate batches and sold it to Salim Syed of Mumbai (Mobile No. 9004468068), his associate Munna (Mobile No. 7400481204), and Sultan (Mobile No. 7400358357).

The narcotic substances recovered from the shed under the possession and occupancy of the said Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera are:

- (1) Narcotic substance inside four plastic pouches kept in a white transparent round sealed container, totaling 4 Kilograms, the total value of which has been estimated at Rs. 20 Crores. And...
- (2) Liquid Mephedrone inside a plastic white sealed carboy, totaling 21.707 Kilograms, the value of which has been estimated at Rs. 21,70,70,000/-. And
- (3) Liquid Mephedrone inside a plastic white sealed carboy, totaling 9.702 Kilograms, the value of which has been estimated at Rs. 9,70,20,000/-. And
- (4) 1 ATOM company digital weighing scale, the value of which has been estimated at Rs. 500/-. And
- (5) 3 pieces of empty zip-lock plastic pouches bearing the brand marking "Patel Storage & Freezer Bags", the value of which has been estimated at Rs. 00/00. And
- (6) 1 Realme company mobile phone recovered during the personal search of Sunil Rajnarayan Yadav, the value of which has been estimated at Rs. 5,000/-. And
- (7) 1 Samsung Galaxy company mobile phone recovered during the personal search of Sunil Rajnarayan Yadav, the value of which has been estimated at Rs. 5,000/-. And
- (8) Cash currency amounting to Rs. 18,600/- recovered during the personal search of Sunil Rajnarayan Yadav. And
- (9) 1 Vivo company mobile phone, model V 2059, recovered during the personal search of Vijaybhai Jethabhai Gajera, the value of which has been estimated at Rs. 5,000/-. And

(10) Cash currency amounting to Rs. 1,400/- recovered during the personal search of Vijaybhai Jethabhai Gajera, which have been seized by us in the presence of the Panchas for the purpose of the investigation.

Thereafter, a detailed seizure memo regarding the seized case property was typed in three copies, signed by us and the Panchas, and one copy of the said seizure memo was handed over to each of the two accused persons, and their signatures were obtained on the original spot copy.

Thereafter, upon asking the two accused persons to produce a light bill, tax bill, rent agreement, or any other proof regarding this shed under their possession and occupancy, both of them stated that they had taken this shed on a monthly rent of Rs. 20,000/- from Ashwinbhai Chovatiya since February 2024. They further stated that they do not possess any documentary evidence or proof regarding this matter. They also stated that the electricity connection for this shed was taken from shed numbers 2 and 3 situated adjacent to it, which belong to the owner of the shed, Ashwinbhai Chovatiya.

The Latitude and Longitude coordinates of the aforementioned crime scene, when checked on our mobile phone, were found to be 21.1463460° N, 73.0441270° E.

The proceedings of this panchnama were conducted on 18/07/2024 between 00:15 hours and 04:00 hours. During the panchnama proceedings, necessary videography and photography were conducted through his mobile phone by Police Constable Ranveersinh Rameshbhai, who was present as part of the raid party upon our instructions.

...The aforementioned 4 blue-colored iron barrels filled with 200 liters of Acetone each, the machinery used for manufacturing Mephedrone, and empty chemical drums, carboys, and laboratory equipment were kept inside the shed exactly as they were. The door of the shed was then closed and locked. A paper slip bearing the signatures of the Panchas and ourselves was placed over it, tied with a thread, and securely sealed with lacquer using the official stamp of the Police Inspector, A.T.S., G.R., Ahmedabad.

The panchnama was typed on the spot using a laptop by Head Police Constable Yuvrajsinh Hakubha, who was present as part of the raid party. A printout was taken by connecting the printer to the plug point of our government vehicle, Bolero number GJ-18-GB-6367. It was read over to the Panchas, and their signatures were obtained.

Therefore, on this day, the aforementioned Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera, along with their partner Hareshbhai Korat, acting in partnership and through mutual assistance, set up manufacturing machinery and apparatus inside the rented tin shed numbers 12 and 13 located at Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District. They engaged in the illegal manufacture and commercial production of the narcotic substance Mephedrone. Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera were caught red-handed at the spot in possession of a commercial quantity consisting of 4 Kilograms of Mephedrone and 31.409 Kilograms of liquid Mephedrone, totaling an estimated value of Rs. 51,40,60,000/-. Furthermore, they and their partner in the Mephedrone trade, Hareshbhai Korat, confessed to previously selling manufactured batches of Mephedrone to Salim Syed of Mumbai (Mobile No. 9004468068), his associate Munna (Mobile No. 7400481204), and Sultan

(Mobile No. 7400358357). This complaint is filed to initiate a legal investigation against all of them for offenses punishable under Sections 8(c), 21(c), and 29 of the N.D.P.S. Act, based on the facts revealed during the investigation, my witnesses, the independent Panchas, the recovery from the spot, and the findings of the raid party police officers, staff, and the F.S.L. Officer.

Hence, the facts stated in my complaint are true and correct.

Signed "C.A. Panara"

Annexure P-2

Final report

(Under Section 193 of BNSS)

In the Honorable Court of the District and Sessions Judge
(Special NDPS Court), Dist. Surat

1. Police Station :- ATS Police Station, Gujarat, **C.R.**
No.: 04/2024
Date: 18.07.2024
2. Chargesheet No.: 52025
3. Date: 09/01/2025
4. Act- As per Section-8(C), 21(C), 29 of NDPS Act
5. Type of final report/Charge filed/Charge not prepared due to lack of evidence. Final report not found/Accused not found./Accused dead./Crime not committed. (Tick whichever applies.)
6. If the final report is of a nature where no incident occurred (False / Mistake of fact / Mistake of law / Civil nature)
7. Whether it is a supplementary report or the main report/charge sheet.
8. Name of Investigating Officer(s)
 - a) Shri B.M. Patel, Police Inspector, A.T.S.,
Gu.Ra., Ahmedabad.

b) **Shri B.H. Korat, Police Inspector, A.T.S.,
Gu.Ra., Ahmedabad.**

c) D.B. Prajapati, Police Sub-Inspector, A.T.S.,
Gu.Ra., Ahmedabad.

9. Name of Informant (Complainant)- Complainant Shri
S.T. C.H. Panara, Police Inspector, A.T.S., Gu.Ra.,
Ahmedabad.

A-1:- *(Accused 1 profile photos showing front and side profiles)*

No.	Column / Field	Details in Document
(1)	Name:	Sunil
(2)	Father's / Husband's Name:	Rajnarayan Yadav
(3)	Age (Years):	Approx. Age: 28 (2024)
(4)	Gender:	Male
(5)	Nationality:	Indian
(6)	Passport Number:	--
(7)	Religion:	Hindu
(8)	Whether Scheduled Caste (SC) / Scheduled Tribe (ST)?:	No
(9)	Occupation:	Business / Trade

No.	Column / Field	Details in Document
(10)	Address:	Residing at: 404, A-2 Wing, Sun Enclave, Deshaiwad, Vapi. Native place: Gadbamanohar, Taluka: Bansaon, Dist: Gorakhpur (U.P.)
(11)	Provisional Offender Number:	--
(12)	Permanent Offender Number (if any):	--
(13)	Date of Arrest:	Arrested on 18/01/2024 at 06:30 hours. Remanded to Police Custody until 26/01/2024 at 15:00 hours.
(14)	Date of Release on Bail:	In Judicial Custody (Court Custody).

A-2:- *(Accused 2 profile photos showing front and side profiles)*

No.	Column / Field	Details in Document
(1)	Name:	Vijay bhai
(2)	Father's / Husband's Name:	Jethabhai Gajera
(3)	Age (Years):	Approx. Age: 38 (2024)

No. Column / Field Details in Document

- (4) Gender: Male
- (5) Nationality: Indian
- (6) Passport
Number: --
- (7) Religion: Hindu
- (8) Whether
Scheduled
Caste (SC) /
Scheduled
Tribe (ST)?: No
- (9) Occupation: Business / Trade
- (10) Address: Residing at: B-301, Harivila Residency,
Savaliya Circle, Yogichowk, Varachha,
Surat. Native place: Vandhiyali,
Taluka: Savarkundla
- (11) Provisional
Offender
Number: -
- (12) Permanent
Offender
Number (if
any): -

No. Column / Field Details in Document

- (13) Date of Arrest: Arrested on 18/01/2024 at 05:30 hours.
Remanded to Police Custody
until 26/01/2024 at 15:00 hours.
- (14) Date of Release on Bail: In Judicial Custody (Court Custody).
- (15) Date sent to Court: Date: 26/01/2024
- (16) Acts / Sections: As per NDPS Act Sections - 8(c),
21(c), 29
- (17) Name(s), Identification Number, and Address(es) of Sureties: Not Applicable.
- (18) Details of prior - convictions, including case numbers (if any):
- (19) Status of the accused: Remanded to Judicial Custody.
(Released on personal bond /

No. Column / Field Details in Document

Released on
 police bail /
 Released by
 Court on bail /
 In judicial
 custody /
 Declared
 absconder)
 (Tick
 whichever is
 applicable):

A-3:- (Accused 3 profile photos showing front and side profiles)

No.	Column / Field	Details in Document
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(1)	Name:	Abuhurera alias Munna
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(2)	Father's Husband's	/
-----	-----------------------	---

(2)	Husband's	Ansar ahmed Sheikh
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(3)	Age (Years):	Approx. Age: 41 (2024)
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(4)	Gender:	Male
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No.	Column / Field	Details in Document
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(5)	Nationality:	Indian
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No.	Column / Field	Details in Document
(6)	Passport Number:	--
(7)	Religion:	Muslim
(8)	Whether Scheduled Caste (SC) / Scheduled Tribe No (ST)?:	
(9)	Occupation:	Business / Trade
(10)	Address:	Residing at: 16, Sant Dnyaneshwar Nagar, Rajunagar, Rahivasi Sangh, Bandra, Mumbai - 51. Also at: 2022, A.K.G. Nagar, 50 Feet Road, Dharavi, Mumbai - 17
(11)	Provisional Number:	Offender -
(12)	Permanent Number (if any):	Offender -
(13)	Date of Arrest:	Arrested on 20/07/2024 at 16:00 hours. Remanded to Police Custody until 26/07/2024 at 15:00 hours.

No.	Column / Field	Details in Document
(14)	Date of Release on Bail:	In Judicial Custody (Court Custody).
(15)	Date sent to Court:	Date: 26/07/2024
(16)	Acts / Sections:	As per NDPS Act Sections - 8(c), 21(c), 29
(17)	Name(s), Identification Number, and Address(es) of Sureties:	Not Applicable.
(18)	Details of prior convictions, including - case numbers (if any):	
(19)	Status of the accused: (Released on personal bond / Released on police bail / Released by Court on bail / In judicial custody / Declared absconder) (Tick whichever is applicable):	Remanded to Judicial Custody.

A-4:- *(Accused 4 profile photos showing front and side profiles)*

No.	Column / Field	Details in Document
(1)	Name:	Mohammad Yunus @ Ejaz

No.	Column / Field	Details in Document
(2)	Father's / Husband's Name:	Mohammad Tahir Sheikh
(3)	Age (Years):	Approx. Age: 41 (2024)
(4)	Gender:	Male
(5)	Nationality:	Indian
(6)	Passport Number:	--
(7)	Religion:	Muslim
(8)	Whether Scheduled Caste (SC) / Scheduled Tribe (ST)?:	No
(9)	Occupation:	Business / Trade
(10)	Address:	Residing at: Sukena Manzil, 3rd Floor, Room No. 44, Near Chief Bandar Post Office, Masjid Bandar, Dongri, Mumbai-09
(11)	Provisional Offender Number:	-
(12)	Permanent Offender Number (if any):	-

No.	Column / Field	Details in Document
(13)	Date of Arrest:	Arrested on 04/08/2024 at 17:30 hours and obtained on Police Remand until 12/08/2024 at 15:00 hours.
(14)	Date of Release on In Judicial Custody (Court Bail:	Custody).
(15)	Date sent to Court:	Date: 26/01/2024
(16)	Acts / Sections:	As per NDPS Act Sections - 8(c), 21(c), 29
(17)	Name(s), Identification Number, Address(es) Sureties:	and Not Applicable. of
18)	Details of prior convictions, including case numbers (if any):	-
(19)	Status of the accused: (Released on personal bond / Released on police bail / Remanded Released by Court on bail / In judicial to custody / Declared absconder) (Tick whichever is applicable):	Judicial Custody.

A-5:- (Accused 5 profile photos showing front and side profiles

No.	Column / Field	Details in Document
(1)	Name:	Mohammad Aadil
	Father's	/
(2)	Husband's Name:	Mohammad Tahir Sheikh
(3)	Age (Years):	Approx. Age: 34 (2024)
(4)	Gender:	Male
(5)	Nationality:	Indian
(6)	Passport Number:	--
(7)	Religion:	Muslim
	Whether Scheduled Caste (SC) / No Scheduled Tribe (ST)?:	
(8)		
(9)	Occupation:	Business / Trade
(10)	Address:	Residing at: Sukena Manzil, 3rd Floor, Room No. 44, Near Chief Bandar Post Office, Masjid Bandar, Dongri, Mumbai-09

No.	Column / Field	Details in Document
(11)	Provisional Offender Number:	-
(12)	Permanent Offender Number (if any):	-
(13)	Date of Arrest:	Arrested on 04/08/2024 at 17:30 hours and obtained on Police Remand until 12/08/2024 at 15:00 hours.
(14)	Date of Release on Bail:	In Judicial Custody (Court Custody).
(15)	Date sent to Court:	Date: 26/01/2024
(16)	Acts / Sections:	As per NDPS Act Sections - 8(c), 21(c), 29
(17)	Name(s), Identification Number, and Address(es) of Sureties:	Not Applicable.

No. Column / Field Details in Document

- (18) Details of prior convictions, including case numbers (if any): -
- Status of the accused: (Released on personal bond / Released on police bail / Released by Court on bail / In Remanded to judicial custody / Declared Judicial Custody. absconder) (Tick whichever is applicable):
- (19)

13. Details of Witnesses to be Examined:-

Sr. No.	Father's / Husband's Name	Age	Occupation	Address	Type of Evidence
1	Shri C.A. Panara	--	Adul Police Inspector	A.T.S., Gu.Ra., Ahmedabad.	Complainant
2	Shri Rati Sondabha Jalondhara	31	Service (Talati-cum-Mantri Class-III, Taluka Panchayat)	Residing at: 521, Varsha Society, Hanuman Road, L.H. Road,	Panch-1 Seizure panchnama drawn at Plot No.

Sr. No.	Father's / Husband's Name	Age	Occupation	Address	Type of Evidence
.				Surat City. 13-14, (Talati)	Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District.

12 Accused / Wanted
Accused:-

Hareshbhai Jivrajbhai Korat, Age approx. 42, Residing at: House No. 113, Riddhi Siddhi Society, Canal Road, Kamrej, Surat. As sufficient evidence has not been found against him, he has been columned in Category 'A' (kept in abeyance/provisional column).

(1) Salim Syed, Residing at: Mumbai, Mobile No. 9004468068

(2) Sultan, Mobile No. 7400358357

And others as revealed during the course of investigation etc.

13. Details of Witnesses to be Examined:-

Sr. No.	Father's / Husband's Name	Age	Occupation	Address	Type of Evidence
1	Shri C.A. Panara	--	Adult Police Inspector	A.T.S., Gu.Ra., Ahmedabad	Complainant Panch-1 Seizure panchnama
2	Shri Rati Sondabha Jalondhara	31	Service (Talati-cum-Mantri Class-III, Taluka Panchayat)	Residing at: 521, Varsha Society, Hanuman Road, L.H. Estate, Surat Kareli City. (Talati)	drawn at Plot No. 13-14, Darshan Industrial Village, Palsana Taluka, Surat District.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
					Panchayat Office, Palsana Office, Palsana, Surat)	...Panch witness to the seizure panchnama of the quantity of Mephedrone seized from the factory.
					Service Residing at: cum- 17, Mantri, Hemku Vankh nj Raw	
3	Shri Bharat	Bhanabhai Baladaniya	30	eda, Taluka Canal Panchayat Kamrej, Surat)	House, Canal Road, Kamrej, Surat) City.	Panch-2 Same as above.
4	Shri Udaram	Pandurang Chandekar	35	Rickshaw Driver	Balabhai Chhaga	Panch-1

(Continuation of Witness 2 entry)

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
					nbhai's Chawl, Rangee lal Road, Gomtip ur, Ahmed abad.	Panch witness to the personal search and physical condition panchnama of accused Abuhurera alias Munna.
5	Shri Rajendra bhai	Lalabhai Patel	58	Ricksh aw Driver	Lawar' s Chawl, Sarasp ur, Near Dr. Harilal Godha' s Dispen sary,	Panch-2 Same as above.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
					Ahmedabad.	Panch-1
6	Shri Chiragbhai	Amrutbhai Rathod	33	Service (Revenue Talati, Gota)	Residing at: Plot No. 966/1, Sector-3 D, Gandhi nagar. Mobile No. 722781 1555	Panch witness to the panchnama of the seizure of narcotic substance Mephedrone from Flat No. 308, 3rd Floor, Ismaile Mansion, Nadi Naka, Bhiwandi, Maharashtra.
7	Shri Chiragbhai	Ganpatbhai Sonala	41	Service (Circle Officer, Paldi)	Residing at: B-49, Tapobh	Panch-2

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
8	Shri S.L. Chaudhar -- y	--	Adult	Deputy Superintendent of Police	umi Society, Section -2, Behind Mahavi r School, Isanpur, Ahmed abad. Mobile No. 760070 3483	Same as above. Witness who A.T.S., provided Gu.Ra., information Ahmed regarding the facts of the said offense.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
9	Shri B.D. Vaghela	--	Adult	Police Sub-Inspector or	A.T.S., Gu.Ra., Ahmed abad.	Witness present as part of the raid party at the time of seizing the quantity of Mephedrone from Plot No. 13-14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District.
10	Shri M.N. Patel	--	Adult	Police Sub-Inspector or	A.T.S., Gu.Ra., Ahmed abad.	Witness present during the raid at the factory and flat at Plot No. 13-14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District...

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
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Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
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(Continuation of Witness 10 entry)

...Flat No. 308,
3rd Floor,
Ismaile
Mansion, Nadi
Naka,
Bhiwandi,
Maharashtra,
and was present
in the raid party
at the time of
seizing the
quantity of
narcotic
substance
Mephedrone.

Witness

11	Shri H.D. Vadher	--	Adult	Police Sub-Inspector or	A.T.S., Gu.Ra., Ahmed abad.	
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Same as above.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
12	Shri B.J. Patel	--	Adult	Police Sub-Inspector or	A.T.S., Gu.Ra., Ahmed abad.	Witness Same as above.
13	Shri Ajaybhai	Kalidas	Adult	A.S.I. Buckle No. 81	A.T.S., Gu.Ra., Ahmed abad.	Witness Same as above.
14	Shri Vijaybhai	Dahyabhai	Adult	Head Constable	A.T.S., Gu.Ra., Ahmed abad.	Witness Same as above.
15	Shri Arifkhan	Peerkhan	Adult	Head Constable	A.T.S., Gu.Ra., Ahmed abad.	Witness

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
						Same as above.
				Buckle No. 6511		Witness
16	Shri Yuvrajsin Hakubha h	Hakubha	Adult	Head Constable Buckle No. 362	A.T.S., Gu.Ra., Ahmed abad.	Witness present as part of the raid party at the time of seizing the quantity of Mephedrone from the factory at Plot No. 13- 14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
						Witness
17	Shri Vinodbhai	Somabhai Maitraniya	Adult	Head Constable	A.T.S., Gu.Ra., Ahmedabad. Buckle No. 1419	Witness present as part of the raid party at the time of seizing the quantity of narcotic substance Mephedrone from Flat No. 308, 3rd Floor, Ismaile Mansion, Nadi Naka, Bhiwandi, Maharashtra.
18	Shri Sajansinh	Prabhatsinh Chauhan	Adult	Head Constable	A.T.S., Gu.Ra., Ahmedabad. 260	Witness Same as above.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
19	Shri Mohammad Anjum	Mehmood Hussain	Adult	Police Constable	A.T.S., Gu.Ra., Ahmedabad. Buckle No. 1231	Witness present as part of the raid party at the time of seizing the quantity of narcotic substance Mephedrone from the factory at Plot No. 13-14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, as well as from Flat No. 308, 3rd Floor, Ismaile Mansion, Nadi Naka,

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
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Bhiwandi,
Maharashtra.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
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20	Shri Khengarbhai	Rameshbhai	Adult	Police Constable	A.T.S., Gu.Ra., Ahmedabad.	Witness Same as above.

21	Shri Jatinkumar	Harishbhai	Adult	Police Constable	A.T.S., Gu.Ra., Ahmedabad.	Witness Same as above.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
22	Shri Ranveersinh	Rameshbhai Vaghela	Adult	Police Constable	A.T.S., Gu.Ra., Ahmedabad.	Witness Same as above.
23	Shri Vijaybhai	Chandubhai	Adult	Police Constable	A.T.S., Gu.Ra., Ahmedabad.	Witness Same as above.
24	Shri Yuvrajsinh	Indrasinh	Adult	Police Constable	A.T.S., Gu.Ra., Ahmedabad.	Witness present as part of the raid party at the

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
				Buckle No. 1537		time of seizing the quantity of Mephedrone from the factory at Plot No. 13-14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District.
25	Shri Irfanbeg	Abdulbeg	Adult	Police Constable	A.T.S., Gu.Ra., Ahmedabad.	Witness Same as above.
26	Shri Aminahmed	Mubinahmed	Adult	Police Constable	A.T.S., Gu.Ra., Ahmedabad.	Witness

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
				Buckle No. 321		Witness present as part of the raid party at the time of seizing the quantity of narcotic substance Mephedrone from Flat No. 308, 3rd Floor, Ismaile Mansion, Nadi Naka, Bhiwandi, Maharashtra.
27	Shri Harjitsinh	Gurjatsinh	Adult	Police Constable	A.T.S., Gu.Ra., Ahmedabad.	Witness Same as above.
				Buckle No. 690		

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
28	Shri Hitenkumar	Ratanbhai Dutt	Adult	Police Constable	A.T.S., Gu.Ra., Ahmedabad.	Witness Same as above.
29	Shri K.V. Vyas	--	--	Scientific Officer	Scientific Officer who conducted the preliminary testing and provided the report on the stock of Mephedrone found at the factory situated at Plot No. 13-	Scientific Officer who conducted the preliminary testing and provided the report on the stock of Mephedrone found at the factory situated at Plot No. 13-

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
						14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District in connection with this crime. Witness
30	Shri M.M. Shah	--	--	Scientific Officer	Scientific Officer, D.F.S., Gu.Ra., Gandhi nagar.	Scientific Officer in connection with this crime who analyzed the sample of Mephedrone seized from the factory at Plot No. 13-14, Darshan Industrial Estate, Kareli

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
						Village, Palsana Taluka, Surat District...

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
						...analyzed the samples of the seized Mephedrone and provided opinions from 19/08/2024 onwards for Case No. DFS/EE/2024/N C/354, as well as analyzed the samples of the Mephedrone seized from Bhiwandi, Maharashtra and provided opinions

(Continuation of Witness 30 entry)

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
31	Shri Jamnadas	Himmatbhai Akraniya	43	P.M. Enterprise (Angadia Courier), Vapi Dist. Valsad.	Residing at: 401, Amidhara Society, Nehru Street, Under Bridge Road, Vapi, Dist. Valsad. Mobile No. 743494 4995	from 19/08/2024 onwards for Case No. DFS/EE/2024/N C/395. Witness who provided information and receipts regarding the amount sent in the name of accused Sunil via Angadia from Mumbai to be paid to Sunil, and the amount sent from accused Sunil to accused Vijay Gajera's P.M.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
						Enterprise address at Varachha, Surat.
32	Shri Prakashbhai	Amrutbhai Prajapati	36	Chemical Business (Tulsi Remedies)	Residing at: 39, Sahjan Park, Near Tulsi Remedies, Ghodas ar, Ahmed abad. Mobile No. 777796 7794	Witness who is the owner of Tulsi Remedies, who sold 400 Kg of 2-BROMO-4-METHYLPROP IOPHENONEto accused Sunil Yadav, and 400 Kg of 2-BROMO-4-METHYLPROP IOPHENONEto accused Mohammad Yunus @ Ejaz.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
33	Shri Hareshbhai	Jivrajbhai Korat	42	Retail Labour	Residing at: 52, House No. 113, Riddhi Siddhi Society, Canal Road, Kamrej, Surat. Native Place: Ravni (Kuba) Village, Taluka, Surat District, under the supervision/possession of the Taluka: Visava dar, Dist. Junagadh.	Witness who worked at the factory at Plot No. 13-14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, under the supervision/possession of the Taluka: Visava dar, Dist. Junagadh. Sunil Yadav.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
34	Shri Amitbhai	Jayantilal Shah	38	Business	Residing at: Block-03, Siddhnath Paradise, Baikunth Four Crossroads, Waghodia Road, Near G.E.B., Vadodara. Also at: 23, Shivdhara Society	Witness Witness who sold items like a distillation assembly, iron bath, glass and plastic stirrer, motor, and pump structure/stands etc., to the accused Vijay Gajera.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
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Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
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(Continuation of Witness 34 entry)

Residing at:
 ...Andala,
 Gokuldham
 Society
 , ...Witness who
 Ankles sold the
 hwar equipment.
 Road,
 Ankles
 hwar.
 Mobile
 No.
 982423
 5866

35	Anjitabeni	Wife of Ashwinbhai Keshavbhai	34	Household	Residing at: 36, Greenv	Witness
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Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
		, Caste: Chodvadiya			illa Society , Gangpur Village , Taluka: Estate, Kareli Kadodara, Dist. Surat.	Witness who is a partner in the factory premises located at Plot No. 13-14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, and who produced copies of the sale documents.
36	Shri Gauravbhai	Himmatbhai Chodvadiya	31	Embroidery	Residing at: Flat No. 202, Utpal Tower, Opposite Umiya Temple	Witness who is a partner in the factory premises located at Plot No. 13-14, Darshan Industrial

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
37	Shri Ashwinbhai	Keshavbhai Chodvadiya	36	Textile	, Estate, Kareli Ashwa Village, Palsana nikuma Taluka, Surat r Road, District. Surat City. Mobile No. 800079 9942 Residing at: 36, Greenv illa Society, Gangpur Village, Taluka: Kadod ara, Dist.	Witness who is the husband of the partner Anjitaben, who leased/rented out this factory premises at Plot No. 13-14, Darshan Industrial Estate, Kareli

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
					Surat. Village, Palsana Native Taluka, Surat Place: District to the Veerpu accused Vijay r Gajera. Village , Taluka: Dhari, Dist. Amreli. Mobile No. 909933 9380	Witness
38	Shri Rashid	Nizamuddin Mogal	44	Broker	603, Ali Farid Manzil, Second Floor,	Witness who acted as a broker to rent out Flat No. 308, 3rd Floor, Ismaile

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
39	Shri Asgarali	Islamuddin Ansari	42	Business	Nadi Naka, Amina Bhiwandi, Maharashtra to Bhiwandi, Thane, Mahara shtra. Mobile No. 909698 5966	Witness who is the nephew of Sagirahmed, the possessor/owner of Flat No. 308, 3rd Floor, Ismaile Mansion, Nadi

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
					Amina Naka, bagh, Bhiwandi, Bhiwa Maharashtra, ndi, and who let out Thane, this flat to the Mahara accused shtra. Mohammad Mobile Yunus @ Ejaz No. through broker 922368 Rashid 0944, Nizamuddin 901113 Mogal, and who 8060 accepted the token deposit and rent amount.	

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
40	Shri Sagirahmed	Jahiruddin Ansari	50	Retired	303, Neelgiri Co-op. Housing	Witness

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
					Society Witness who is , 3rd the owner of Floor, Flat No. 308, Farooq 3rd Floor, S. Ismaile Umarli Mansion, Nadi abhai Naka, Road, Bhiwandi, Near Maharashtra, MTNL who executed a Buildin Leave and g, License Agripa Agreement da, through Waqar Mumb Ahmed Shams ai. Tabrez Khan, Mobile kept the heavy No. deposit for the 983395 said flat, and 1858 produced a copy of the Leave and License Agreement.	

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
						Witness
41	Shri N.R. Brahmbhatt	--	Adult	Police Inspector	A.T.S., Gu.Ra., Ahmedabad.	Witness who brought the wanted accused of this crime, Abuhurera @ Munna, from Mumbai and produced him.
						Witness
42	Shri Bharatbhai	Devjibhai Chaudhari	Adult	Police Constable	A.T.S., Gu.Ra., Ahmedabad.	Witness who went to deliver parcel No. 03 containing F.S.L. samples of Mephedrone, seized from the factory at Plot
				Buckle No. 515		

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
43	Kirtiben	Kanjibhai Nariya	Adult	Assistant Sub-Inspector or	A.T.S., Gu.Ra., Ahmed abad.	No. 13-14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, to D.F.S., Gu.Ra., Gandhinagar on 19/01/2024 for examination/for ensic analysis. Witness who went to deliver parcel No. 26 containing F.S.L. samples of Mephedrone, seized from Flat No. 308, 3rd

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
						Floor, Ismaile Mansion, Nadi Naka, Bhiwandi, Maharashtra, to D.F.S., Gu.Ra., Gandhinagar on 16/08/2024 for examination/for ensic analysis.
				S.R.P. Driver /		Witness
44	Shri Kishansi	Sumantsinh --		Police Constable	A.T.S., Gu.Ra., Ahmed abad.	Witness who is the driver of the government vehicle Bolero No. GJ-18-GB-6367, which was utilized to transport the raid party to the factory at Plot
				Buckle No. 275		

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
						No. 13-14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District regarding the Mephedrone raid.
				S.R.P. Driver /		Witness
45	Shri Maheshk umar	Motibhai Patel	Adult	Police Consta ble	A.T.S., Gu.Ra., Ahmed abad.	Witness who drove the raid party to Kareli Village, Palsana Taluka, Surat District...
				Buckle No. 315		

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
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Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
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(Continuation of Witness 45 entry)

...to the factory at Plot No. 13-14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, and drove the government vehicle Bolero No. GJ-18-GB-6360 utilized to transport the raid party for the Mephedrone raid.

46	Shri Ranabhai	J. Satakiya	Adult	S.R.P. Driver /	A.T.S., Gu.Ra., Ahmed abad.	Witness
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Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
				Police Constable		Witness who is the driver of the government vehicle Innova No. GJ-11-GA-0362 utilized to transport the raid party to the factory at Plot No. 13-14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District for the Mephedrone raid.
47	Shri Vilasrao	Balakrishna Shinde	Adult	Driver Head Constable	A.T.S., Gu.Ra., Ahmed abad.	Witness who is the driver of the government

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
				Buckle No. 907		vehicle Tempo Traveler No. GJ-18-GB-6958 utilized to transport the raid party for the Mephedrone raid at Flat No. 308, 3rd Floor, Ismaile Mansion, Nadi Naka, Bhiwandi, Maharashtra.
				S.R.P. Driver /		Witness
48	Shri Parakramsinh	Kiritsinh Jadeja	Adult	Police Constable	A.T.S., Gu.Ra., Ahmedabad.	Witness who is the second driver of the government vehicle Tempo Traveler No. GJ-18-GB-

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
49	Shri V.P. Acharya	--	Adult	Judicial Magistrate 1st Class (J.M.F. C.), Palsana Court, Surat Rural	J.M.F. C., Palsana Court, Surat Rural	6958 utilized to transport the raid party for the Mephedrone raid at Flat No. 308, 3rd Floor, Ismaile Mansion, Nadi Naka, Bhiwandi, Maharashtra. Witness Judicial Magistrate who certified the inventory, photographs, and samples of the original case property (Mephedrone) seized from

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Address	Type of Evidence
						Kareli Village, Surat District on 19/01/2024, and who also certified the inventory, photographs, and samples of the original case property (Mephedrone) seized from Bhiwandi on 15/08/2024 in connection with this crime.
50	Shri Samir Sangani	--	Adult	Additional Chief Judicial Magistrate (Addl. C.J.M.)	24th Addl. Chief Judicial Magistrate, Ahmed	Witness Judicial Magistrate who recorded the statement of witness

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
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					, abad Ahmed City abad	Hareshbhai Jivrajbhai Korat...
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Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
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...under Section 164 of the BNSS (Bharatiya Nagarik Suraksha Sanhita) and recorded the statement on 26/02/2024.

(Continuation of Witness 50 entry)

51	Shri Rajanbhai	Ravindrabhai Dave	31	Service (P.M. Enterpr ise)	Residing at: Service 70, Shivali Homes, Govind pura	Witness in connection with this case who produced the
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Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
					Paatiya Angadia , receipts for Vijapur money sent , Dist. from Vapi by Mehसा accused Sunil na. alias Jash Patel Mobile Rajnarayan No. Yadav to 769860 accused Vijay 2030, Gajera at Surat, Office: the Angadia 909992 receipts for 9776 money sent by wanted accused Sultan to accused Sunil Yadav, and the Angadia receipts for money sent by accused Vijay Gajera to witness Amitbhai and Atulbhai.	

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
52	Shri Veerang	Ravindra Mehta	42	Chemical Traders	Residing at: Room No. 701, R.N.A. Springs, Kamla Road, Andheri West, Opposite Railway Station, Mumbai.	Witness who sold chemicals to accused Sunil Yadav in connection with this case and produced its bills.
53	Shri Nareshbhai	Jethabhai Gajera	35	Service	Residing at: 128-A,	Witness

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
					Plot Area, Native Village	Witness in connection with this case who is the user/holder of Mobile No. 823893243 8 belonging to accused Vijay Gajera.
54	Shri Sunilbhai	Mansukhbhai Vadodariya	35	Diamond Polisher	Residing at: G/101, Saven Plaza, Sanvaliya	Witness in connection with this case who is

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
55	Sub- Registrar -- Shri	--	--	Sub- Registrar, Palsana	Circle, the user/holder Yogi of Mobile Chowk No. 966265538 , Surat. 1 belonging to Mobile accused Vijay No. of Gajera. the witness in this case: 992426 6801, 958632 0023 Sub- Registrar Office Palsana , Mamla tdar Office Compo und, Palsana	Witness Witness who provided the ownership and occupancy details of Block No. 315, Plot No. 13-14,

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
					Near Court, Taluka: Palsana, Dist. Surat	situated at Kareli Village, belonging to accused Vijay Gajera.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
56	Deputy Commissioner Shri (Tax)	--	--	Deputy Commissioner (Tax)	Bhiwandi, Nizampur City Municipal Corporation, Taluka: Bhiwandi, Dist. Thane, Maharashtra.	Witness who provided the ownership information regarding Flat No. 308, 3rd Floor, Ismaile Mansion, Khadipar, 4-Nizampura, Nadi Naka,

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
57	Shri A.R. Chaudhar -- y		Adult	Police Sub- Inspect or	A.T.S., Gu.Ra., Ahmed abad.	Witness who went to Mumbai for the investigation of this crime, conducted inquiries, and submitted the investigation report.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
58	Nodal Officer Shri	--	Adult	Vodafo ne Idea Ltd.	Vodafo House, 63(B)(C) of the Opposi te S.G. Act for Mobile Highw Numbers: 7045 ay, 446134, Prahlad 7574868247, nagar, 8238932438, Ahmed 9909276970, abad. 9820308193, 8898209839, 8689938805, 8657388903, 8655265156, 9769581424,	Witness who provided the CAF, SDR, CDR, and the certificate under Section

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
59	Nodal Officer Shri	--	Adult	Nodal Officer	Reliance Jio Infocomm Ltd., 2nd Floor, Reliance Smart, Opposite Drive-In Cinema, Ahmedabad.	9167178905, 9920258955. Witness who provided the CAF, SDR, certificate under Section 63(B)(C) of the Indian Evidence Act for Mobile Numbers: 7486 826674, 8355832163.
60	Nodal Officer Shri	--	Adult	Nodal Officer	Bharti Airtel Ltd., Zodiac Square,	Witness

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
					2nd Floor, Opposite Gurudwara, S.G. Highway, Ahmedabad.	Witness who provided the CAF, SDR, CDR, and the certificate under Section 63(B)(C) of the Indian Evidence Act for Mobile Numbers: 9662 655381, 8874652302, 7400481204, 7400358357, 9989997533, 9004468068, 9662872692, 7777967794.
61	Shri Khumansinh	Dhirubhai Dabhi	Adult	Head Constable	A.T.S., Gu.Ra., Ahmedabad.	Witness who is the permanent writer Head

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
				Buckle No. 9925		Constable who kept the case property seized in this offense under his custody.
62	Shri Vishnubhai	Sartanbhai Jotana	Adult	P.S.O. Head Constable	A.T.S., Gu.Ra., Ahmedabad.	PSO witness who registered/entered the offense.
				Buckle No. 4304		Witness
63	Shri B.H. Korat	--	Adult	Police Inspector	A.T.S., Gu.Ra., Ahmedabad.	Witness who is the Investigating

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
						Officer (I.O.) of this crime.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
64	Shri D.B. Prajapati	--	Adult	Police Sub-Inspector or	A.T.S., Gu.Ra., Ahmed abad.	Witness who is the Investigating Officer (I.O.) of this crime.

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
65	Shri B.M. Patel	--	Adult	Police Inspector or	A.T.S., Gu.Ra., Ahmed abad.	Witness who is the Investigating Officer (I.O.) and the officer

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
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who prepared the chargesheet for this crime.

No. of Columns / Fields
 Details in Document

If the First Information Report (FIR) is found to be false, action taken/ advised under Section

No

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
182/21 1 of the Indian Penal Code (IPC):		(A) In D.F.S. Gandhin agar Case No. DFS /EE/202 4/NC/35 4, an opinion dated 19 /08/2024 has been received stating that, the				
1 5 · :	Labor atory Analy sis Report					

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
						<p>presence of Meph edrone (4- methyl methcat hinone), belongin g to the syntheti c cathinon e class, was detected in the substanc es marked as Samp le Mark A-1, Mark B- 1, and C- 1, which</p>

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
		is included under the N.D.P.S. Act. (B) In D.F.S. Gandhin agar Case No. DFS /EE/202 4/NC/39 5, an opinion dated 19 /08/2024 has been received stating that,the presence of Meph				

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
		edrone (4- methyl methcat hinone), belongin g to the syntheti c cathinon e class, was detected in the substanc es marked as Samp le Mark A-1, B- 1/1 to B- 2/1, B- 3/1, B- 4/1, B- 5/1, C-				

Sr. No.	Name	Father's / Husband's Name	Age	Occupation	Addresses	Type of Evidence
		1/1, C-				
		2/1, C-				
		3/1, C-				
		4/1, C-				
		5/1, D-				
		1/1, D-				
		2/1, D-				
		3/1, D-				
		4/1, D-				
		5/1, E-				
		1/1, E-				
		2/1, E-				
		3/1, E-				
		4/1, E-				
		5/1, F-1,				
		G-1, H-				
		1, I-1,				
		and J-1,				
		which is				
		included				
		under				
		the				
		N.D.P.S.				
		Act.				

16. Brief Facts of the Offense:- *(If necessary, write the facts on additional sheets and attach.)*

In connection with the case registered at A.T.S. Police Station, Gu.Ra. vide Crime No. 04/2024 under Sections 8(c), 21(c), 29 of the N.D.P.S. Act, the facts are such that the accused arrested in this offense, namely, Accused No. (1) Sunil Rajnarayan Yadav and (2) Vijaybhai Jethabhai Gajera, through mutual assistance and for their financial gain, possessed and utilized...: ...a rented factory with tin walls and a tin roof located at Plot No. 13-14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District. From February 2024 onwards, they were engaged in the illegal production and sale of the narcotic substance Mephedrone. On 19/01/2024, they were caught with a commercial quantity comprising 04 Kg of Mephedrone and 31.409 Kg of liquid Mephedrone, totaling a value of Rs. 51,40,60,000/-.

During the investigation of this offense, it has been revealed that the arrested accused No. (1) Sunil Rajnarayan Yadav and (2) Vijaybhai Jethabhai Gajera had prepared 35.450 Kg of Mephedrone in installments /batches inside their possessed and utilized factory. Out of this, they sold 24.550 Kg of Mephedrone in batches to the wanted accused of this case, Salim Syed and Sultan, as well as to the arrested accused alias Munna s/o Ansarahmed Sheikh. Furthermore, a quantity of 02 Kg of Mephedrone was sold to the accused arrested in this case, Mohammad Yunus @ Ejaz s/o Mohammad Tahir Sheikh and Mohammad Aadil s/o Mohammad Tahir Sheikh, by the accused Sunil Rajnarayan Yadav. Additionally, as a batch of 09 Kg of Mephedrone turned out defective, the accused Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera dissolved it in water and disposed of it.

During the investigation of this offense, the arrested accused No. (4) Mohammad Yunus @ Ejaz s/o Mohammad Tahir Sheikh and accused No. (5) Mohammad Aadil s/o Mohammad Tahir Sheikh were caught on 04/08/2024 keeping a commercial quantity inside their possessed and utilized rented Flat No. 308, 3rd Floor, Ismaile Mansion, Nadi Naka, Bhiwandi, Maharashtra. This stock comprised 10.669 Kg of solid Mephedrone and 781.463 Kg of liquid Mephedrone, totaling a value of Rs. 786,43,20,000/-.

Altogether, during the investigation of this offense, it has been revealed that the arrested and unarrested accused persons, through mutual assistance and for their financial gain, engaged in the illegal production, purchase, and sale of the narcotic substance Mephedrone. Accused No. 1 and 2 were caught with 04 Kg of Mephedrone and 31.409 Kg of liquid Mephedrone. Accused No. 4 and 5 were caught with 10.669 Kg of solid Mephedrone and 781.463 Kg of liquid Mephedrone. Furthermore, accused No. 4, along with wanted accused Salim Syed and Sultan, had received from accused No. 1 and 2 purchased 24.550 Kilograms of Mephedrone from them, and Accused Nos. 4 and 5 committed the offense by purchasing 2 Kilograms of Mephedrone from Accused No. 1.

Facts Revealed During the Investigation of this Offense

(16.1) On 17/07/2024 at 06:00 hours, Deputy Superintendent of Police of Gujarat A.T.S., Shri S.L. Chaudhary, received specific intelligence from a reliable informant. The information stated that inside tin sheds No. 12 and 13 located at Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, individuals named Vijay Gajera, Sunil Yadav, and Haresh Korat were illegally

manufacturing the narcotic substance Mephedrone and selling it to a person named Salim Syed in Mumbai.

He noted down this information on a blank piece of paper, recorded it in the secret intelligence register, and informed the D.I.G. Shri of the A.T.S. in writing. Upon receiving this information, the D.I.G. Shri of the A.T.S. directed Police Inspector Shri C.A. Panara to verify the facts and issued a written order to conduct a raid. Consequently, a team was immediately formed consisting of A.T.S. Police Sub-Inspectors Shri B.D. Vaghela, Shri M.N. Patel, Shri H.D. Vadher, and Shri B.J. Patel; Assistant Sub-Inspector Ajaybhai Kalidas (Buckle No. 81); Head Constable Yuvrajsinh Hakubha (Buckle No. 352); Head Constable Vijaybhai Dahyabhai (Buckle No. 422); Head Constable Arifkhan Peerkhan (Buckle No. 6511); Police Constable Khengarbhai Rameshbhai (Buckle No. 1982); Police Constable Yuvrajsinh Indrasinh (Buckle No. 1537); Police Constable Irfanbeg Abdulbeg (Buckle No. 135); Police Constable Jatinkumar Harishbhai (Buckle No. 732); Police Constable Mohammad Anjum Mehmood Hussain (Buckle No. 1231); Police Constable Ranveersinh Rameshbhai (Buckle No. 1698); and Police Constable Vijaybhai Chandubhai (Buckle No. 262).

The team members were thoroughly briefed about the received intelligence. They equipped themselves with necessary items for the raid, including a laptop, printer, sealing wax, thread, seals, small and large plastic containers, stationery, torches, and lights. They assembled at the P.S.O. office, and an entry regarding the departure for the raid was recorded in the Station Diary of the A.T.S. Police Station vide Entry No. 04/2024 on 17/07/2024 at 06:30 hours. Thereafter, they departed in a government vehicle, Bolero No. GJ-18-GB-6367, carrying

himself, Police Sub-Inspector Shri B.D. Vaghela, Police Sub-Inspector Shri M.N. Patel, Police Constable Khengarbhai Rameshbhai, and Head Constable Vijaybhai Dahyabhai and Police Constable Yuvrajsinh Indrasinh sat with the necessary equipment for the raid. Meanwhile, in the second government vehicle, Bolero No. GJ-18-GB-6360, Police Sub-Inspector Shri H.D. Vadher, Police Constable Irfanbeg Abdulbeg, Head Constable Arifkhan Peerkhan, Assistant Sub-Inspector Ajaybhai Kalidas, Police Constable Jatinkumar Harishbhai, and Police Constable Mohammad Anjum Mehmood Hussain boarded. As they were leaving the A.T.S. office to head towards the location mentioned in the intelligence, Police Inspector Shri C.A. Panara gave verbal instructions to Police Sub-Inspector Shri B.J. Patel, Head Constable Yuvrajsinh Hakubha, Police Constable Ranveersinh, and Police Constable Vijaybhai Chandubhai to reach the Kadodara Crossroads in Surat by around 22:00 hours in the night and to establish contact via mobile phone.

Thereafter, the team members accompanying Police Inspector Shri C.A. Panara proceeded to the Kadodara Crossroads. From there, Police Inspector Shri C.A. Panara went in a private vehicle to verify the specific shed location mentioned in the intelligence report. He then summoned his team members waiting at the Kadodara Crossroads to gather near the railway gate under the Dastan Railway Bridge. Planning to execute the raid after 24:00 hours, Police Inspector Shri C.A. Panara made a telephonic request to the Taluka Development Officer (T.D.O.), Taluka Panchayat Office, Palsana, Surat at 21:00 hours, asking him to assign two government employees to serve as Panch witnesses and send them to meet the team near the railway gate under the Dastan Railway Overbridge by 24:00 hours. Similarly, at 21:08 hours, the F.S.L.

Officer was also contacted via mobile phone and requested to arrive near the railway gate under the Dastan Railway Overbridge by 24:00 hours.

In the meantime, while Police Inspector Shri C.A. Panara along with the aforementioned raid party police officers and staff were present near the railway gate under the Dastan Overbridge, Police Sub-Inspector Shri B.J. Patel and his team members contacted Police Inspector Shri C.A. Panara. At 22:30 hours, they arrived near the railway gate under the Dastan Railway Overbridge in the government vehicle, Innova No. GJ-11-GA-0362.

Subsequently, on 18/07/2024 at 00:10 hours, F.S.L. Officer Shri K.V. Vyas, Scientific Officer, Mobile Investigation Van, Surat Rural, arrived in a private vehicle near the railway gate under the Dastan Railway Overbridge. Following this, at 00:15 hours, the two assigned Panch witnesses, Panch (1) Rati Sondabhai Jalondhara and (2) Bharat Bhanabhai Baladaniya arrived near the railway gate under the Dastan Railway Overbridge. The team thoroughly briefed both the Panch witnesses regarding the received intelligence facts and requested them to act as independent witnesses. The witnesses expressed their voluntary willingness and remained present as Panch witnesses.

Thereafter, Police Inspector Shri C.A. Panara introduced himself, the officers and staff of the aforementioned raid party, and the F.S.L. Officer to the Panch witnesses. Following this, the Panch witnesses conducted a personal search of the drivers of the raid party's government vehicles—namely, driver Police Constable Kishansinh Sumantsinh (Buckle No. 275) of Bolero No. GJ-18-GB-6367, driver Head Constable Maheshbhai Motibhai (Buckle No. 315) of Bolero No. GL-18-GB-6360, and driver Police

Constable Ranabhai J. Satakiya (Buckle No. 353) of Innova No. GJ-11-GA-0362—as well as a mutual search of themselves and the aforementioned officers and staff of the raid party in the presence of the Panch witnesses. No narcotic substance or any incriminating material was found on anyone. Similarly, a thorough search of the three government vehicles was conducted in the presence of the Panch witnesses, and no narcotic substance or incriminating material was found.

Thereafter, Police Inspector Shri C.A. Panara, along with the officers and staff of his team, boarded the three government vehicles. The preliminary Panchnama was drawn up from 00:15 hours to 00:35 hours. Subsequently, they, along with the F.S.L. Officer, proceeded in their vehicles to the location mentioned in the intelligence report—a large tin shed located at Darshan Industrial Estate. Upon reaching the spot, they parked the vehicles, stepped down, and observed that a light was switched on inside the tin shed. Opening the door of the tin shed, they saw two individuals sitting on two chairs directly opposite the entrance, engaged in a conversation between themselves.

The team intercepted them right there in that position. Police Inspector Shri C.A. Panara introduced himself, the A.T.S. police officers and staff of the raid party, the F.S.L. Officer, and the two accompanying Panch witnesses to both of them. Upon asking the first individual for his name and address in the presence of the Panch witnesses, he stated his name as Sunil Rajnarayan Yadav, Age: 28, Residing at: 502, B-Wing, Dev Tapovan, Vapi. Upon asking the second individual, he stated his name as Vijaybhai Jethabhai Gajera, Age: 38, Residing at: B/301, Harivila Residency, Sanvaliya Circle, Yogi Chowk, Varachha, Surat.

As it was nighttime, if any delay were caused in conducting the search regarding the narcotic substance Mephedrone, there was a strong probability that the accused might escape, or they might hide, misplace, or destroy the case property of the narcotic substance. Since it was the period between sunset and sunrise... ..therefore, to immediately initiate the search proceedings of the shed and the two intercepted individuals, Police Inspector Shri C.A. Panara recorded a grounds-of-belief resolution under the proviso to Section 42(2) of the N.D.P.S. Act, which was signed by him and the Panch witnesses. He then transmitted a copy of this resolution from his WhatsApp mobile number 9409199285 to the D.I.G. Shri of the A.T.S. on WhatsApp mobile number 9978408721, which was duly seen by the latter.

Thereafter, Police Inspector Shri C.A. Panara explained to the aforementioned Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera in the presence of the Panch witnesses that: "We have specific intelligence that you two, along with Hareshbhai Korat, are illegally manufacturing a batch of the narcotic substance Mephedrone without any valid pass or permit inside tin shed numbers 12 and 13, located at Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, which is in your possession and use. Since we need to conduct a search of this shed in your possession and use, as well as a personal search of both of you in the presence of the Panch witnesses, and though I am a Gazetted Police Officer, you still have a legal right to demand that your personal search and the search of your premises be conducted in the presence of any Magistrate or any other Gazetted Officer, and we can make arrangements for the same." In response to this, both individuals stated that they did not wish to have the search conducted in the presence of any other Magistrate or Gazetted

Officer, and that the officers could proceed with the search themselves. Consequently, Police Inspector Shri C.A. Panara typed a notice under Section 50 of the N.D.P.S. Act in three copies regarding this matter, which was signed by him and the Panch witnesses. After explaining the contents of the notice to both individuals, he handed one copy to each of them and obtained their signatures on the original spot copy.

Thereafter, Police Inspector Shri C.A. Panara recorded a search resolution under Section 42 of the N.D.P.S. Act regarding the stock of the narcotic substance Mephedrone inside tin shed numbers 12 and 13, located at Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, which is under the possession and use of (1) Sunil Rajnarayan Yadav, (2) Vijaybhai Jethabhai Gajera, and (3) Hareshbhai Korat, as well as for conducting a personal search of the aforementioned individuals No. (1) and (2). The resolution was signed by him and the Panch witnesses, and after explaining the substance of the resolution to the aforementioned Sunil and Vijaybhai, their signatures were obtained on it.

Thereafter, Police Inspector Shri C.A. Panara explained to the aforementioned Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera in the presence of the Panch witnesses that: "We have specific intelligence that you two, along with Hareshbhai Korat, are illegally manufacturing a batch of the narcotic substance Mephedrone without any valid pass or permit inside tin shed numbers 12 and 13, located at Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, which is in your possession and use. Before conducting a search of this shed in your possession and use, as well as a search of both of you in the presence of the Panch witnesses, you can first conduct a personal search of me, the

Panch witnesses accompanying me, and the accompanying police officers and staff. This is your legal right." Upon being informed of this, both individuals stated that they did not wish to conduct a personal search of anyone. Consequently, Police Inspector Shri C.A. Panara had an understanding/consent document typed in three copies regarding this matter, which was signed by him and the Panch witnesses. After explaining the summary of the understanding document to both individuals, he handed one copy of the understanding document to each of them and obtained their signatures on the original spot copy.

Thereafter, Police Inspector Shri C.A. Panara, along with the accompanying police officers, staff, the F.S.L. Officer, and the Panch witnesses, kept the aforementioned Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera with them. Upon entering the door of the shed under their possession to conduct a search regarding the batch of the narcotic substance Mephedrone, a round, transparent plastic container with a sky-blue colored lid was found hidden beneath small pieces of white thermocol inside a large, open khaki-colored cardboard box located on the left side. Upon taking the container out and opening its lid, 4 plastic ziplock pouches containing some substance were found inside. On looking at all four plastic pouches, they appeared greenish-blue (parrot green), white, and yellow in color. On one side of all four pouches, "Patel Storage & Freezer Bags For Storage" was printed in English along with pictures of fruits, dry fruits, and pulses, etc. On the other side, "Storage & Freezer Bags" etc. was printed, below which there was a picture of an apple. Upon opening and checking all four pouches, a moisture-containing substance in the form of powder and lumps of an identical light pink color was found inside all four pouches. Upon questioning the

aforementioned Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera regarding this substance, Police Inspector Shri C.A. Panara was informed by them that all four pouches contained Mephedrone. Thereafter, regarding the substance found in all four pouches, the F.S.L. Officer...

Shri K.V. Vyas conducted a testing using the narcotics drug detection kit available with him and stated that the test result was positive.

Thereafter, keeping the aforementioned Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera along with them, while conducting the search inside the shed, a maroon-colored liquid was found inside a steel vessel placed over an electric coil heater stove in the south-east corner of the shed. Upon questioning both of them regarding this liquid, Police Inspector Shri C.A. Panara was informed by them that this is liquid Mephedrone and it is heated to produce Mephedrone in powder form. When the F.S.L. Officer Shri K.V. Vyas tested this liquid using the narcotics drug detection kit available with him, he stated that the test result was positive. Thereafter, the F.S.L. Officer provided a written spot preliminary examination report to Police Inspector Shri C.A. Panara.

Thereafter, from the old bags of powder lying next to the heater, 3 empty plastic ziplock pouches bearing the markings "Patel Storage & Freezer Bags" were found. Next to them, one "ATOM Digital Kitchen Scale, Model A 124" etc. text and brand markings bearing a black-colored digital weighing scale in working condition was found along with its box. In front of the steel vessel placed over the aforementioned electric heater stove, a large glass vessel, connected with a PVC pipe to crystallize the product manufactured in the reactor, was found.

Thereafter, keeping the aforementioned Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera along with them, while conducting the search inside the shed, four blue-colored iron barrels filled with chemicals were found near the western wall of the shed. Upon questioning both of them regarding this matter, Police Inspector Shri C.A. Panara was informed by them that these four barrels contained a chemical named Acetone. At the rate of 200 liters per barrel, there was a total of 800 liters of Acetone chemical in the four (4) barrels. To the left side of these barrels, a centrifuge steel machine was placed, and next to it, a large reactor was set up. An iron ladder was constructed to climb over it, and a platform was made to inspect inside the reactor. Necessary electrical supply and a PVC pipeline were fitted to the reactor. In front of the reactor, at a distance of about ten feet, a rectangular fiber tub was located, which was filled with colored waste water.

For manufacturing and keeping the narcotic substance Mephedrone in the shed under their possession and use, when Police Inspector Shri C.A. Panara demanded a pass or permit from the aforementioned Sunil and Vijaybhai in the presence of the Panch witnesses, both of them stated that they did not possess any.

Thereafter, Police Inspector Shri C.A. Panara had the electric weighing scale brought with the raid party connected to an electric switchboard through us to verify it, and the weighing scale was found to be in working condition. Following this, in the presence of the Panch witnesses and the aforementioned Sunil and Vijaybhai, Police Inspector Shri C.A. Panara weighed the four pouches filled with the narcotic substance Mephedrone found in their shed, using the said weighing scale, resulting in the details specified below:

(1) On weighing the plastic ziplock pouch with the brand markings "Patel Storage & Freezer Bags" along with the Mephedrone filled inside, the total weight was 1016 grams. Additionally, on weighing the identical empty plastic pouch, its weight was 16 grams. Therefore, the net weight of Mephedrone inside the said pouch was exactly 1 Kilogram. This pouch was designated as Serial Number 1.

(2) On weighing the plastic ziplock pouch with the brand markings "Patel Storage & Freezer Bags" along with the Mephedrone filled inside, the total weight was 1016 grams. Additionally, on weighing the identical empty plastic pouch, its weight was 16 grams. Therefore, the net weight of Mephedrone inside the said pouch was exactly 1 Kilogram. This pouch was designated as Serial Number 2.

(3) On weighing the plastic ziplock pouch with the brand markings "Patel Storage & Freezer Bags" along with the Mephedrone filled inside, the total weight was 1016 grams. Additionally, on weighing the identical empty plastic pouch, its weight was 16 grams. Therefore, the net weight of Mephedrone inside the said pouch was exactly 1 Kilogram. This pouch was designated as Serial Number 3.

(4) On weighing the plastic ziplock pouch with the brand markings "Patel Storage & Freezer Bags" along with the Mephedrone filled inside, the total weight was 1016 grams. Additionally, on weighing the identical empty plastic pouch, its weight was 16 grams. Therefore, the net weight of Mephedrone inside the said pouch was exactly 1 Kilogram. This pouch was designated as Serial Number 4.

Thereafter, Police Inspector Shri C.A. Panara kept the Mephedrone inside all four of the aforementioned plastic pouches exactly as they were, and placed these four pouches of Mephedrone into a transparent, round plastic container as they were. He then closed the lid of the container and labeled this plastic container as Mark-A.

Thereafter, to transfer the maroon-colored liquid Mephedrone found in the steel vessel over the electric heater into white plastic jerry cans, an empty jerry can was weighed, which measured 523 grams. Upon pouring this liquid Mephedrone into a jerry can with a 20-liter capacity, one jerry can was completely filled, while a second jerry can was filled to approximately half. On weighing the completely filled jerry can on the electric weighing scale, it measured 22.230 Kilograms. Thus, the net weight of the liquid Mephedrone inside the said jerry can was exactly 21.707 Kilograms, and this jerry can was designated as Mark-B.

Similarly, on weighing the half-filled jerry can, it measured 10.225 Kilograms. The net weight of the Mephedrone liquid inside this jerry can was exactly 9.702 Kilograms, which was designated as Mark-C.

In both the aforementioned jerry cans, there was a total of 31.409 Kilograms of liquid Mephedrone. The 4 plastic pouches filled with the aforementioned Mephedrone were kept inside the round plastic container. White thread was wrapped around the container, its lid, and the caps of both jerry cans containing the liquid Mephedrone. A paper slip bearing the signatures of the Panch witnesses and Police Inspector Shri C.A. Panara was placed over each of them and tied with thread. All three items were then sealed using lac

wax with the English seal of the Police Inspector, A.T.S., G.S. Ahmedabad.

Thereafter, upon conducting a personal search of the aforementioned Sunil Rajnarayan Yadav by Police Inspector Shri C.A. Panara in the presence of the Panch witnesses, 2 mobile phones from his front right pocket of the blue jeans pant he was wearing and cash amounting to Rs. 18,600/- were found as per the details in the Panchnama.

Thereafter, upon conducting a personal search of Number (2) Vijaybhai Jethabhai Gajera by Police Inspector Shri C.A. Panara in the presence of the Panch witnesses, 1 mobile phone from his front right pocket of the off-white jeans pant he was wearing and cash amounting to Rs. 1,400/- were found as per the details in the Panchnama.

Upon questioning both of them in the presence of the Panch witnesses by Police Inspector Shri C.A. Panara regarding since when the manufacturing of the narcotic substance Mephedrone had started in the shed under their possession and use, who the partners in this illegal Mephedrone business were, and to whom the stock of Mephedrone prepared in their shed had been sold previously, both of them stated that they, along with Hareshbhai Korat, had started manufacturing Mephedrone in partnership from the month of February 2024 onwards. They further stated that previously, they had manufactured and sold approximately 30 Kilograms of Mephedrone.

They had manufactured Mephedrone in batches and sold it to Salim Syed of Mumbai (Mobile No. 9004468068), his associate Munna (Mobile No. 7400481204), and Sultan (Mobile No. 7400358357).

The details of the case property seized from the shed under the possession and use of the aforementioned Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera are as follows:

- (1) Exactly 4 Kilograms of the narcotic substance Mephedrone inside four plastic pouches kept in a round, transparent, sealed plastic container, valued at an estimated Rs. 20 Crores.
- (2) 21.707 Kilograms of liquid Mephedrone inside a white, sealed plastic jerry can, valued at an estimated Rs. 21,70,70,000/-.
- (3) 9.702 Kilograms of liquid Mephedrone inside a white, sealed plastic jerry can, valued at an estimated Rs. 9,70,20,000/-.
- (4) 1 unit of a digital weighing scale from ATOM company, valued at an estimated Rs. 500/-.
- (5) 3 units of empty plastic ziplock pouches with the brand markings "Patel Storage & Freezer Bags", valued at an estimated Rs. 00.00/-.
- (6) 1 unit of a mobile phone from the Realme company, recovered during the personal search of Sunil Rajnarayan Yadav, valued at an estimated Rs. 5000/-.
- (7) 1 unit of a Samsung Galaxy company mobile phone, recovered during the personal search of Sunil Rajnarayan Yadav, valued at an estimated Rs. 5000/-.
- (8) Cash amounting to Rs. 18,600/-, recovered during the personal search of Sunil Rajnarayan Yadav.
- (9) 1 unit of a Vivo company mobile phone, Model Y 73 (Model 2059), recovered during the personal search of Vijaybhai Jethabhai Gajera, valued at an estimated Rs. 5000/-.
- (10) Cash amounting to Rs. 1,400/-, recovered during the personal search of Vijaybhai Jethabhai Gajera.

The aforementioned case property has been formally seized by Police Inspector Shri C.A. Panara in the presence of the Panch witnesses.

Thereafter, Police Inspector Shri C.A. Panara had a detailed seizure memo typed out in three copies regarding the seized items, which was signed by him and the Panch witnesses. He handed over one copy of the seizure memo to each of the two accused individuals and obtained their signatures on the original spot copy.

Thereafter, when Police Inspector Shri C.A. Panara asked both the accused individuals to produce any evidence such as an electricity bill, tax bill, rent agreement, or any other proof regarding the shed under their possession and use, both of them stated that they had taken this shed from Ashwinbhai Chovatiya...

...from him in February 2024 at a monthly rent of Rs. 20,000/-. They do not have any documentary evidence or proof regarding this matter. Furthermore, the electricity connection for the said shed was drawn from shed numbers 2 and 3, belonging to the shed owner Ashwinbhai Chovatiya, situated adjacent to it.

The Panchnama proceedings for this case were carried out between 00:15 hours and 04:00 hours on 18/07/2024. During these Panchnama proceedings, as instructed by Police Inspector Shri C.A. Panara, Police Constable Ranveersinh Rameshbhai, who was present during the raid, performed the necessary videography and photography using his mobile phone.

The 4 iron barrels filled with 200 liters of Acetone each, the machinery used for manufacturing Mephedrone, the empty chemical drums and jerry cans, and the laboratory apparatus, etc., present inside the aforementioned shed were kept exactly as they were. The door of the shed was then closed, locked, and a paper

slip bearing the signatures of the Panch witnesses and Police Inspector Shri C.A. Panara was placed over it, tied with a thread, and sealed using lac wax with the official seal of the Police Inspector, A.T.S., G.S., Ahmedabad.

Head Constable Yuvrajsinh Hakubha, who was present at the raid, typed out the said Panchnama on a laptop, and a printout was taken at the spot by connecting a printer to a plug inside the government vehicle, Bolero No. GJ-18-GB-6367. The printout was read aloud to the Panch witnesses, and their signatures were obtained.

The aforementioned Sunil Rajnarayan Yadav, Vijaybhai Jethabhai Gajera, and their partner Hareshbhai Korat, in partnership and through mutual assistance, utilized manufacturing machinery and equipment inside the rented tin shed numbers 12 and 13 located at Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, to illegally manufacture the narcotic substance Mephedrone. Sunil Rajnarayan Yadav and Vijaybhai Jethabhai Gajera were caught red-handed at the spot with a commercial quantity comprising 4 Kilograms of Mephedrone and 31.409 Kilograms of liquid Mephedrone, totaling a value of Rs. 51,40,60,000/-. Police Inspector Shri C.A. Panara has seized the said narcotic substance Mephedrone from their possession. Since they, along with partner Hareshbhai Korat, had sold the stock of manufactured Mephedrone to Salim Syed of Mumbai (Mobile No. 9004468068), his associate Munna (Mobile No. 7400481204), and Sultan (Mobile No. 7400358357), a complaint, Panchnama, and list of annexures have been prepared to conduct a legal investigation against all of them for offenses under Sections 8(c), 21(c), and 29 of the N.D.P.S. Act as revealed during the investigation along with sending it via WhatsApp to the P.S.O.

Shri, A.T.S. officers, thereby registering the aforementioned offense and initiating legal proceedings.

The aforementioned facts can be ascertained based on the complaint filed by Police Inspector Shri C.A. Panara and the statements of the informant Deputy Superintendent of Police Shri S.L. Chaudhary, who was present during the Panchnama, and the raid party witnesses: (1) P.S.I. Shri B.D. Vaghela, (2) P.S.I. Shri M.N. Patel, (3) P.S.I. Shri H.D. Vadher, (4) P.S.I. Shri B.J. Patel, (5) A.S.I. Ajaybhai Kalidas, (6) H.C. Yuvrajsinh Hakubha, (7) H.C. Vijaybhai Dahyabhai, (8) H.C. Arifkhan Peerkhan, (9) P.C. Khengarbhai Rameshbhai, (10) P.C. Yuvrajsinh Indrasinh, (11) P.C. Irfanbeg Abdulbeg, (12) P.C. Jatinkumar Harishbhai, (13) P.C. Mohammad Anjum Mehmood Hussain, (14) P.C. Ranveersinh Rameshbhai (Buckle No. 1698), and (15) P.C. Vijaybhai Chandubhai.

(16.2) In connection with this case, the samples of the case property—the narcotic substance Mephedrone seized from the rented factory at tin shed numbers 13 and 14 located at Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, under the possession and use of accused (1) Sunil Rajnarayan Yadav and (2) Vijaybhai Jethabhai Gajera—were produced before the Ld. Judicial Magistrate First Class (J.M.F.C.) Court, Palsana, Surat Rural, and the F.S.L. samples were subsequently sent to D.F.S. Gandhinagar for laboratory examination. Following the analysis, an opinion was received in D.F.S. Gandhinagar Case No. DFS/EE/2024/NC/354 dated 19/08/2024, stating that,

"The presence of Mephedrone (4-methyl methcathinone), belonging to the synthetic cathinone class, was detected in the

substances marked as Sample Mark A-1, Mark B-1, and C-1, which is included under the N.D.P.S. Act."

This fact can be ascertained from the opinion received from D.F.S. Gandhinagar.

(16.3) During the investigation of this offense, it has been revealed that the arrested accused No. (1) Sunil Rajnarayan Yadav had sold two kilograms of Mephedrone to the arrested accused No. (4) Mohammad Yunus @ Ejaz s/o Mohammad Tahir Sheikh and accused No. (5) Mohammad Aadil s/o Mohammad Tahir Sheikh. Regarding this matter, the Investigating Officer, Police Inspector Shri B.M. Patel, along with his team members and in the presence of two Panch witnesses, conducted a raid at their possessed and utilized rented Flat No. 308, 3rd Floor, Ismaile Mansion, Nadi Naka, Bhiwandi, Maharashtra. From the said flat, they recovered 10.669 Kilograms of solid Mephedrone and 781.463 Kilograms of liquid Mephedrone, totaling a value of Rs. 786,43,20,000/-, which constitutes a commercial quantity. This fact can be ascertained based on the Panchnama drawn up by Police Inspector Shri B.M. Patel in their presence from 20:30 hours on 03/08/2024 to 17:30 hours on 04/08/2024, as well as the statements of the raid party witnesses: (1) P.S.I. Shri B.J. Patel, (2) P.S.I. Shri H.D. Vadher, (3) P.S.I. Shri M.N. Patel, (4) A.S.I. Ajaybhai Kalidas, (5) H.C. Arifkhan Peerkhan, (6) H.C. Vijaybhai Dahyabhai, (7) H.C. Vinodbhai Somabhai, (8) H.C. Sajansinh Prabhatsinh, (9) P.C. Mohammad Anjum Mehmood Hussain, (10) Aminahmed Mubinahmed, (11) P.C. Harjitsinh Gurjitsinh, (12) P.C. Jatinkumar Harishbhai, (13) P.C. Khengarbhai Rameshbhai, (14) P.C. Vijaybhai Chandubhai, (15) P.C. Ranveersinh Rameshbhai, and (16) P.C. Hitendrakumar Ratanbhai Datt.

(16.4) In connection with this case, a stock of 10.669 Kilograms of solid Mephedrone and 781.463 Kilograms of liquid Mephedrone was seized from the rented Flat No. 308, 3rd Floor, Ismaile Mansion, Nadi Naka, Bhiwandi, Maharashtra, which was under the possession and use of accused No. (4) Mohammad Yunus @ Ejaz s/o Mohammad Tahir Sheikh and accused No. (5) Mohammad Aadil s/o Mohammad Tahir Sheikh. The samples of the said case property were produced before the Ld. Judicial Magistrate First Class (J.M.F.C.) Court, Palsana, Surat Rural, and the F.S.L. samples were subsequently sent to D.F.S. Gandhinagar for laboratory examination. An opinion was received in D.F.S. Gandhinagar Case No. DFS/EE/2024/NC/395 dated 19/08/2024, stating that:

"The presence of Mephedrone (4-methyl methcathinone), belonging to the synthetic cathinone class, was detected in the substances marked as Sample Mark A-1, B-1/1 and B-2/1, B-3/1, B-4/1, B-5/1, C-1/1, C-2/1, C-3/1, C-4/1, C-5/1, D-1/1, D-2/1, D-3/1, D-4/1, D-5/1, E-1/1, E-2/1, E-3/1, E-4/1, E-5/1, F-1, G-1, H-1, I-1, and J-1, which is included under the N.D.P.S. Act."

This fact can be ascertained from the opinion received from D.F.S. Gandhinagar.

(16.5) The accused arrested in this crime, namely No. (1) Sunil Rajnarayan Yadav and (2) Vijaybhai Jethabhai Gajera, had sold 24.550 Kilograms of Mephedrone in batches/installments to the arrested accused No. 3, Abuhurera alias Munna s/o Ansar Ahmed Sheikh, and the wanted accused persons, Salim Syed and Sultan. In exchange for this, they operated under the name of Sultan from P.M. Enterprises, Dadar, Mumbai funds were sent to

P.M. Enterprises, Vapi under the name of accused Sunil as per the details mentioned below:

Sr. No.	Date	Angadia Sending Branch	Name of Angadia Sender	Name & Mobile No. of Angadia Receiver	Amount Received via Angadia (Rs.)
1	22/05/2024	P.M. Enterprises Dadar, Mumbai	Sultan	Jash Patel Mo. No. 7045446 134	4,36,300
2	05/06/2024	P.M. Enterprises Dadar, Mumbai	Sultan	Jayesh Mo. No. 7045446 134	14,67,750

Sr. No.	Date	Angadia a Sendin g Branch	Name of Angad ia Sende r	Name & Mobile No. of Angadia Receiver	Amoun t Receiv ed via Angadi a (Rs.)
		P.M. Enterpr ises		Jayesh Mo. No.	
3	14/0 6/20 24		Sultan		3,66,40 0
		Dadar, Mumb ai		7045446 134	
	Total Rs.				22,70,4 50

This fact can be ascertained based on the statement of witness Jamnadas Himmatbhai, by caste Akraniya, who holds the Vapi franchise of P.M. Enterprises, as well as the Angadia transaction slips produced by him.

In this case, accused Sunil Rajnarayan Yadav had registered his fake names as Jash Patel and Jayesh as the receiver of the money at P.M. Enterprises Angadia in Vapi, but had provided his mobile number as 7045446134. The said mobile phone has been seized from his possession.

Sr. No.	Date	Angadia a Sendin g Branch	Name of Angad ia Sende r	Name & Mobile No. of Angadia Receiver	Amount Received via Angadia a (Rs.)
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(16.6) Out of the money received through Angadia from the Mephedrone sold to the accused in Mumbai, the arrested accused Sunil Rajnarayan Yadav had sent funds to accused Vijay Gajera via P.M. Enterprises Angadia, Vapi, through the P.M. Enterprises, Surat, Sarthana Jakatnaka branch, as per the details mentioned below:

Sr. No.	Date	Sunil R. Yadav, Vapi	P.M. Enterp rises, Surat	Vijay Gajera	Amount
1	22/05/2024	Mo. No. 748682 6674	Sartha na Jakatn aka Branc h	Mo. No. 9662653 801	3,66,400

Sr. No.	Date	Angadia a Sendin g Branch	Name of Angad ia Sende r	Name & Mobile No. of Angadia Receiver	Amoun t Receiv ed via Angadi a (Rs.)
2	01/0 6/20 24	Sunil Yadav, Vapi Mo. No. 748682 6674	P.M. Enterp rises, Surat Sartha na Jakatn aka Branc h	Vijay Gajera Mo. No. 9662653 801	15,68,4 00
3	05/0 6/20 24	Sunil R. Yadav, Vapi Mo. No.	P.M. Enterp rises, Surat Sartha na	Vijay Gajera Mo. No. 9662653 801	13,68,6 00

Sr. No.	Date	Angadia a Sendin g Branch	Name of Angad ia Sende r	Name & Mobile No. of Angadia Receiver	Amoun t Receiv ed via Angadi a (Rs.)
		748682 6674	Jakatn aka Branc h		
		Sunil Yadav, Vapi	P.M. Enterp rises, Surat	Vijaybha i Mo. No.	
4	08/0 6/20 24	Mo. No. 748682 6674	Sartha na Jakatn aka Branc h	9662653 801	13,68,6 00
5	14/0 6/20 24	Jash Patel	P.M. Enterp	Vijay Gajera	3,66,40 0

Sr. No.	Date	Angadia a Sendin g Branch	Name of Angad ia Sende r	Name & Mobile No. of Angadia Receiver	Amoun t Receiv ed via Angadi a (Rs.)
			Mo. rises, No. Surat	Mo. No. 9662653 801	
		748682 6674	Sartha na Jakatn aka Branc h		
		Sunil R. Yadav, Vapi	P.M. Enterp rises, Surat	Vijay Gajera	
6	02/0 7/20 24				2,74,60 0
		Mo. No. 748682 6674	Sartha na Jakatn aka	Mo. No. 9662653 801	

Mobile No. 8928389390, at the Mumbai Andheri branch, as per the details mentioned below:

Sr No.	Date	Angadia Sending Branch	Name of Angadia Sender	Name, Mobile No. & Branch of Angadia Receiver	Amou nt Receiv ed via Angad ia (Rs.)
1	27/02/2024	P.M. Enterpri ses,	Sunil Mo. No. 7486826 674	Vijay Mo. No. 9662653 801 Surat Sarhana Branch	1,74,200
Sr No.	Date	Angadia Sending Branch	Name of Angadia Sender	Name, Mobile No. & Branch of Angadia Receiver	Amou nt Receiv ed via Angad ia (Rs.)

Sr No.	Date	Angadia Sending Branch	Name of Angadia Sender	Name, Mobile No. & Branch of Angadia Receiver	Amount Received via Angadia (Rs.)
2	14/03/2024	P.M. Enterpri ses,	Sunil Mo. No.	Vijay Mo. No. 9662653 801	24,900
		Vapi Branch	7486826 674	Surat Sarhana Branch	
3	22/03/2024	P.M. Enterpri ses,	Sunil Mo. No.	Vijay Mo. No. 9662653 801	99,800
		Vapi Branch	7486826 674	Surat Sarhana Branch	

Sr No.	Date	Angadia Sending Branch	Name of Angadia Sender	Name, Mobile No. & Branch of Angadia Receiver	Amount Received via Angadia (Rs.)
4	27/03/2024	P.M. Enterprises,	Sunil Mo. No.	Vijay Mo. No. 9662653 801	2,39,500
		Vapi Branch	7486826 674	Surat Sarhana Branch	
5	02/04/2024	P.M. Enterprises,	Sunil Mo. No.	Vijay Mo. No. 9662653 801	3,98,500
		Vapi Branch	7486826 674	Surat Sarhana Branch	

Sr No.	Date	Angadia Sending Branch	Name of Angadia Sender	Name, Mobile No. & Branch of Angadia Receiver	Amou nt Receiv ed via Angad ia (Rs.)
6	24/05/2 024	P.M. Enterpri ses,	Sunil Mo. No.	Prakash bhai Mo. No. 7777967 794	3,48,9 70
		Vapi Branch	7486826 674	Vatva G.I.D.C. Branch	
7	02/07/2 024	P.M. Enterpri ses,	Sunil Mo. No.	Prakash bhai Mo. No. 7777967 794	2,99,5 50
		Vapi Branch	7486826 674		

Sr No.	Date	Angadia Sending Branch	Name of Angadia Sender	Name, Mobile No. & Branch of Angadia Receiver	Amou nt Receiv ed via Angad ia (Rs.)
8	05/07/2 024	P.M. Enterpri ses,	Sunil Mo. No.	Vatva G.I.D.C. Branch Prakash bhai Mo. No. 7777967 794	1,99,7 00
		Vapi Branch	7486826 674	Vatva G.I.D.C. Branch	
9	06/06/2 024	P.M. Enterpri ses,	Sultan Mo. No.	Jayesh Mo. No. 7045446 134	6,98,9 50

Sr No.	Date	Angadia Sending Branch	Name of Angadia Sender	Name, Mobile No. & Branch of Angadia Receiver	Amou nt Receiv ed via Angad ia (Rs.)
		Dadar, Mumbai	9222260 9...	Vapi Branch	
Sr No.	Date	Angadia Sending Branch	Name of Angadia Sender	Name, Mobile No. & Branch of Angadia Receiver	Amou nt Receiv ed via Angad ia (Rs.)
10	08/06/2 024	P.M. Enterpri ses,	Sultan Mo. No. 7400358 357	Jayesh Mo. No. 7045446 134	14,97, 750
		Dadar, Mumbai			

Sr No.	Date	Angadia Sending Branch	Name of Angadia Sender	Name, Mobile No. & Branch of Angadia Receiver	Amount Received via Angadia (Rs.)
11	10/06/2024	P.M. Enterprises, Dadar, Mumbai	Sultan Mo. No. 7400358 357	Jayesh Mo. No. 7045446 134 Vapi Branch	9,98,500
12	08/06/2024	P.M. Enterprises, Surat Sartha a	Vijay Mo. No. 9662653 801	Amit Mo. No. 9824235 866 Baroda Vaghodi	64,900

Sr No.	Date	Angadia Sending Branch	Name of Angadia Sender	Name, Mobile No. & Branch of Angadia Receiver	Amount Received via Angadia (Rs.)
13	10/06/2024	P.M. Enterpri ses,	Vijay Mo. No.	Atul Mo. No. 8928389 390	5,75,000
		Surat Sarthan a	9662653 801	Mumbai , Andheri	
	Total				56,20,220
	Rs.				

This fact can be ascertained based on the statement of Rajanbhai Ravindrabhai Dave, an employee of P.M. Enterprises, Ahmedabad, and the transaction slips produced by him.

(16.8) In connection with this case, accused Sunil Yadav had purchased chemicals including (1) MONO METHYL AMINE, (2)

N-METHYL-2-PYRROLIDONE, (3) ETHYL ACETATE, and (4) TRIETHANOLAMINE from Perfect Chemical, Mumbai, between the dates of 3rd April 2024 and 11th July 2024. The delivery of these chemicals was received at Vapi through Apple Logistics. This fact can be ascertained based on the statement of Veeraang Ravindra Mehta, the owner of Perfect Chemical, along with the bills, transport slips, and copies of the ledger accounts produced by him.

(16.9) In connection with this case, accused Sunil Yadav had purchased chemicals named ACETONE and ISO PROPYL ALCOHOL a total of 4 times from Gandhi Chemical, Borivali, between the dates of 8/5/2024 and 10/7/2024. The delivery was received at Vapi through Apple Logistics. This fact can be ascertained based on the statement of Mukesh, the salesman of Gandhi Chemical can be ascertained based on the statement of Raj Bihari Thakur, as well as the bills, transport slips, and copies of the ledger accounts produced by him.

(16.10) In connection with this case, the arrested accused Vijay Jethabhai Gajera had rented the factory situated at Plot Nos. 13 and 14, Darshan Industrial Estate, Kareli Village, Palsana Taluka, Surat District, from February 2024. This fact can be ascertained based on the statements of the owners of this factory, namely: (1) Anjitaben w/o Ashwinbhai Keshavbhai, by caste Chodvadiya, and (2) Gauravbhai Himmatbhai, by caste Chodvadiya, as well as the statement of witness Anjitaben's husband, Ashwinbhai Keshavbhai Chodvadiya, and a copy of the sale deed.

(16.11) In connection with this case, the arrested accused Mohammad Yunus @ Ejaz s/o Mohammad Tahir Sheikh had rented Flat No. 308, 3rd Floor, Ismaile Mansion, Nadi Naka,

Bhiwandi, Maharashtra, in November 2023 from Sagirahmed Zahiruddin Ansari through flat broker Rashid Nizamuddin Mogal. This fact can be ascertained based on the statements of witness Rashid Nizamuddin Mogal, Asgarali Islamuddin Ansari, and Sagirahmed Zahiruddin Ansari.

(16.12) In connection with this case, the arrested accused Vijay Jethabhai Gajera had purchased the necessary equipment and materials to manufacture Mephedrone in his factory, including an iron bath/tub, a 200-liter glass flask, a stirrer, a motor, and a piping structure, etc. This fact can be ascertained based on the statement of witness Amitbhai Jayantilal Shah.

(16.13) In connection with this case, the arrested accused Sunil Rajnarayan Yadav had purchased the primary chemical used in manufacturing Mephedrone—2-BROMO-4-METHYLPROPIOPHENONE—in batches of 100 kg on 28/03/2024, 100 kg on 08/05/2024, 100 kg on 25/05/2024, and 100 kg on 09/07/2024, totaling 400 kg, from Tulsi Remedies belonging to witness Prakashbhai Amrutlal Prajapati, residing at Ghodasar, Ahmedabad. Similarly, through the reference of the said accused Sunil Rajnarayan Yadav, the accused Mohammad Yunus @ Ejaz s/o Mohammad Tahir Sheikh had also purchased the same chemical in batches of 100 kg on 24/05/2024, 100 kg on 27/05/2024, 100 kg on 15/07/2024, and 100 kg on 16/07/2024, totaling 400 kg, from Tulsi Remedies belonging to witness Prakashbhai Amrutlal Prajapati, residing at Ghodasar, Ahmedabad was purchased. This fact can be ascertained based on the statement of witness Prakashbhai Amrutlal Prajapati, as well as the bills, the bilti (consignment notes) of Kabra Express, and the end-use certificates produced by him.

(16.14) In connection with this case, a total of 91 telephonic conversations took place between the arrested accused Sunil Rajnarayan Yadav's Mobile No. 7486826674 and the accused Vijay Jethabhai Gajera's Mobile No. 8238938278 during the period from 13/05/2023 to 30/10/2023.

(16.15) In connection with this case, a total of 45 telephonic conversations took place between the arrested accused Sunil Rajnarayan Yadav's Mobile No. 7486826674 and the accused Vijay Jethabhai Gajera's Mobile No. 9662653801 during the period from 19/12/2023 to 30/05/2024.

(16.16) In connection with this case, a total of 210 telephonic conversations took place between the arrested accused Abuhurera alias Munna s/o Ansar Ahmed Sheikh's Mobile No. 8355832163 and the wanted accused Salim Ansar Syed's Mobile No. 9004468068 during the period from 06/08/2023 to 05/04/2024.

(16.17) In connection with this case, 01 telephonic conversation took place between the arrested accused Sunil Rajnarayan Yadav's Mobile No. 7045446134 and the wanted accused Salim Ansar Syed's Mobile No. 9004468068 on the date 24/04/2024.

(16.18) In connection with this case, a total of 23 telephonic conversations took place between the arrested accused Sunil Rajnarayan Yadav's Mobile No. 7045446134 and the wanted accused Sultan's Mobile No. 7400358357 during the period from 23/04/2024 to 02/07/2024.

(16.19) Based on the C.D.R. (Call Detail Record) of the wanted accused Salim Ansar Syed's Mobile No. 9004468068, his location details within Gujarat were found as follows:

Sr. No.	Date	Location
1	11/12/2023	Vapi
2	05/01/2024	Vapi
3	10/01/2024	Vapi
4	17/01/2024	Vapi
5	18/01/2024	Unjha - Unawa - Mehsana
6	24/01/2024	Dabhel - Vapi
7	03/02/2024	Dabhel, Kamrej, Kadodara
8	15/02/2024	Vapi

(16.20) Based on the C.D.R. (Call Detail Record) of the arrested accused Abuhurera alias Munna s/o Ansar Ahmed Sheikh's Mobile No. 8355832163, his location details within Gujarat were found as follows:

Sr. No.	Date	Location
1	11/12/2023	Vapi
2	05/01/2024	Vapi

Sr. No.	Date	Location
3	24/01/2024	Vapi
4	03/02/2024	Kadodara
5	15/02/2024	Vapi
6	27/02/2024	Vapi

(16.21) Based on the C.D.R. (Call Detail Record) of the wanted accused Sultan's Mobile No. 7400358357, his location details within Gujarat were found as follows:

Sr. No.	Date	Location
1	24/04/2024	Vapi
2	09/05/2024	Umargam
3	01/06/2024	Umargam
4	02/07/2024	Vapi

(16.22) In connection with this case, the arrested accused Abuhurera alias Munna s/o Ansar Ahmed Sheikh was previously arrested on 02/01/2015 in an offense registered at Deonar Police Station, Mumbai under C.R. No. 02/2015 for an offense punishable under Section 328 of the Indian Penal Code (I.P.C.).

This fact can be ascertained based on the information provided by the Deonar Police Station.

Thus, on the whole, it has been revealed during the investigation of this crime that the arrested and unarrested accused individuals, for their financial gains and with mutual assistance, engaged in the illegal manufacture, purchase, and sale of the narcotic substance Mephedrone. Accused No. 1 and 2 were caught red-handed with 04 Kilograms of Mephedrone and 31.409 Kilograms of liquid Mephedrone, while accused No. 4 and 5 were caught with 10.669 Kilograms of solid Mephedrone and 781.463 Kilograms of liquid Mephedrone, and Accused Number 4 and wanted accused individuals Salim Syed and Sultan purchased 24.550 Kilograms of Mephedrone from Accused Numbers 1 and 2, and Accused Numbers 4 and 5 purchased 2 Kilograms of Mephedrone from Accused Number 1. All the accused individuals have committed an offense punishable under Sections 8(c), 21(c), and 29 of the N.D.P.S. Act.

Information regarding the police disposal of the case has been given to the complainant: Yes, Date: 09/01/2025

17.

(Keep the acknowledgment receipt regarding the communication attached.)

18. Dispatch Date: 09/01/2025 at 18:00 hours

Note (շիւ):-

- (1) The identification/description forms, property receipts, and photographs of the accused arrested in this case are attached herewith.
- (2) Copies of evidence to be provided to the Hon'ble Court and to the accused individuals in this case are attached herewith.
- (3) A competent Public Prosecutor has been appointed for this case.
- (4) It is requested to issue summons to the complainant and witnesses in this case and call them directly to the Court.
- (5) If further evidence is required in this case, it will be produced during the ongoing trial before the Hon'ble Court.
- (6) Further investigation is kept active in this case as per Section 173(8) of the B.N.S.S. (Bharatiya Nagarik Suraksha Sanhita).

Signature of the Officer In-charge of the Police Station	Signature of the Investigating Officer preparing the Chargesheet/Final Report
<i>(Signature)</i>	<i>(Signature)</i>

Designation: Police
Inspector

Name: B.M. Patel

Designation: Police Inspector

Signature of the Officer In-charge of the Police Station Signature of the Investigating Officer preparing the Chargesheet/Final Report

A.T.S. Police Station, G.R.,
Ahmedabad.

A.T.S., G.R., Ahmedabad.

IN THE HON' BLE HIGH COURT OF GUJARAT
DISTRICT: SURAT
CRIMINAL MISC.APPLICATION.- 9189 OF 2026

ABBUHURERA @ MUNNA S/O ANSAR AHEMAD SHEIKH

(Accused No. 3)

(At present the applicant is in

Judicial custody at Central Jail, Lajpore, Surat Since
20.07.2024)

.....Applicant

V/s

THE STATE OF GUJARAT

.....Respondent

SYNOPSIS

Particulars	Details
Case Identity	<ul style="list-style-type: none">• Court: Hon'ble High Court of Gujarat, Ahmedabad .• Applicant: Abbuhurera i.e Munna S/O Ansar Ahemad Sheikh (Accused No. 3), aged 42 .• Respondent: State of Gujarat through the Public Prosecutor .• Case Ref: ATS Police Station Crime No. 04/2024.
Statutory Framework	<ul style="list-style-type: none">• Primary Sections: Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 .• NDPS Act: Sections 8(c), 21(c), and 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985.

Custody & Timeline	<ul style="list-style-type: none"> • Arrest Date: 20.07.2024 in Mumbai • Duration: Continuous judicial custody for 20 months at Central Jail, Lajpore, Surat . • Chargesheet: Filed on 09.01.2025 under Section 193 of BNSS
Antecedents	<ul style="list-style-type: none"> • F.I.R No.: 2/2015 Filed before Deonar Police Station • (The accused is on bail as per the order dated 28.01.2015 passed by the Hon'ble Court.)
The Incident (The Raid)	<ul style="list-style-type: none"> • Intelligence: Received 17.07.2024 regarding illegal Mephedrone manufacturing in Surat . • Recovery: 35.409 kg of Mephedrone (valued at Rs. 51.40 Crores) seized from Accused Nos. 1 and 2. • Applicant's Location: Not present at the factory; arrested 48 hours later in Mumbai.
Procedural History	<ul style="list-style-type: none"> • Withdrawal: Earlier application (R/CRIMINAL MISC. APPL. NO. 4735/2025) withdrawn on 06.03.2025 . • Trial Court Rejection: Special NDPS Court, Surat rejected bail on 12.02.2025 (Crim. Misc. App. No. 701/2025) .
Evidence Profile	<ul style="list-style-type: none"> • Physical Evidence: Zero contraband recovered from the applicant's person, residence, or control. • Seizure: Only one Samsung Galaxy M-13 mobile phone valued at Rs. 3,000/- was seized. • Basis of Arrest: Entirely based on statements of co-accused recorded during police remand .

<p>Article 21 & Delay</p>	<ul style="list-style-type: none"> • Fundamental Right: Prolonged incarceration without trial progress violates the right to a speedy trial. • NDPS Embargo: Cites <i>Ankur Chaudhary v. State of MP</i> and <i>Mohd. Muslim v. State (NCT of Delhi)</i>; undue delay can override the Section 37(1)(b) statutory bar . • Trial Status: Charges not yet framed; 65 witnesses to be examined; trial is unlikely to conclude soon.
<p>Inadmissibility of Evidence</p>	<ul style="list-style-type: none"> • Section 67 NDPS: Cites <i>Toofan Singh v. State of Tamil Nadu</i>; confessional statements to police are inadmissible . • Evidence Act: Officers under Section 53 NDPS are "police officers" per Section 25 of the Evidence Act; confessions to them cannot be used to convict . • Co-Accused: Statements of co-accused cannot be the sole basis for incarceration without corroboration.
<p>Lack of Conscious Possession</p>	<ul style="list-style-type: none"> • Condition Satisfied: Absence of contraband creates "reasonable grounds" to believe the applicant is not guilty, satisfying the first limb of Section 37 . • No Participation: No evidence of direct manufacturing; accusations only relate to hiring/finance without concrete proof .
<p>Constitutional Validity</p>	<ul style="list-style-type: none"> • Presumption of Innocence: A sacrosanct principle under Articles 14 and 21 that cannot be negated by statute . • Arbitrary Classification: The imposition of twin conditions for regular bail without similar provisions for anticipatory bail is argued as arbitrary .

Judicial Discipline	<ul style="list-style-type: none">• Successive Application: Principles of <i>res judicata</i> do not apply to bail; subsequent applications are permissible if facts/circumstances change .• General Rule: Reaffirms the principle that "Bail is the rule and Jail is the exception".
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Hence the present Application...

**IN THE HON' BLE HIGH COURT OF GUJARAT
DISTRICT: SURAT
CRIMINAL MISC.APPLICATION.- 9189 OF 2026**

CRIMINAL MISC. APPLICATION
UNDER SECTION 483 OF THE
BHARATIYA NAGARIK SURAKSHA
SANHITA, 2023 r/w WITH SECTION 37
OF THE NARCOTICS DRUGS AND
PSYCHOTROPIC SUBSTANCES, ACT,
1985 SEEKING SUCCESSIVE
REGULAR BAIL AFTER FILING
CHARGESHEET;

ABBUHURERA @ MUNNA S/O ANSAR AHEMAD SHEIKH,

Aged - 42 years

R/o: (1) 16, Sant Jnaneshwar Nagar,

Raju Nagar, Rahiwasi Sangh,

Bandra, Mumbai - 400 051

(2) 2022, A.K.G. Nagar,

60 Foot Road, Dharavi,

Mumbai - 400 017

(Accused No. 3)

(At present the applicant is in

**Judicial custody at Central Jail, Lajpore, Surat Since
20.07.2024)**

...Applicant

(Original Accused No. 3)

Versus

THE STATE OF GUJARAT

Through the Public Prosecutor
Hon'ble High Court of Gujarat
Sola, Ahmedabad

...Respondent

TO,
THE HON'BLE CHIEF
JUSTICE AND OTHER
HON'BLE JUDGES OF THE
HIGH COURT OF GUJARAT

THE HUMBLE APPLICATION
OF THE APPLICANT
ABOVE-NAMED.

MOST RESPECTFULLY SHOWETH.

1. The present application is a successive application seeking bail wherein this Hon'ble Court was earlier, in the order dated 06.03.2025 in R/CRIMINAL MISC. APPLICATION NO. 4735 of 2025, pleased to permit withdrawal of the regular bail application after filing the chargesheet, under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. However, in view of subsequent developments in the case and prolonged custody, the present applicant approaches this Hon'ble Court by way of filing the said successive bail application under section 483 of BNSS. A copy of the order dated 06.03.2025 is annexed herewith and marked as **Annexure A**.
2. **Brief facts giving rise to the present application are as under:**
 - 2.1. The present applicant came to be arrested on 20.07.2024 in connection with a complaint being ATS Police Station Crime No. 04/2024 registered on 18.07.2024 for offences punishable under Sections 8(c), 21(c), and 29 of the NDPS Act, 1985 which culminated into Special NDPS Case No. 4 of 2025

pending before the Hon'ble 8th Additional District and Sessions Judge (Special NDPS Court), Surat and since 20.07.2024 the applicant has been in judicial custody at Central Jail, Lajpore, Surat. A copy of the FIR is annexed herewith and marked as **Annexure-B** to this application.

- 2.2. That on 17.07.2024, the Dy. S.P., ATS Gujarat, received intelligence regarding illegal manufacturing of Mephedrone at Darshan Industrial Estate, Kareli Village, Surat, by accused 1 and 2, allegedly supplying to one Salim Saiyed of Mumbai. Pursuant to this, on 18.07.2024, the ATS arrested Accused Nos. 1 and 2 and conducted a raid at the factory premises, seizing 35.409 kg of Mephedrone (comprising 04 kg solid and 31.409 kg liquid Mephedrone) valued at Rs. 51,40,90,000/- along with related materials and samples were sent to FSL through JMFC, Palsana as per Section 52A of the NDPS Act.
- 2.3. The present applicant was arrested on 20.07.2024 in Mumbai, nearly 48 hours after the raid, despite not being present at the scene, solely based on alleged statements of co-accused recorded during their police custody remand from 18.07.2024 to 26.07.2024.
- 2.4. That body search of the applicant was conducted on 20.07.2024 at 16:00 hours and Muddemal Panchnama No. 24/2024 was prepared. It is most critical and fundamental to note that only one Samsung Galaxy M-13 mobile phone with Airtel SIM card No. 7400481204 was recovered from the applicant's possession. No narcotic substance of any quantity - not even a single gram - was recovered from the applicant's person, possession, residence, or any premises under his control. The mobile phone was valued at Rs. 3,000/-.

- 2.5. That the applicant was granted police custody remand till 26.07.2024 and thereafter sent to judicial custody where he continues to remain incarcerated.
- 2.6. That on 09.01.2025, the Chargesheet was filed under Section 193 of Bharatiya Nagarik Suraksha Sanhita, 2023 before Special NDPS Court, Surat. A copy of the chargesheet is annexed herewith and marked as **Annexure-C**.
- 2.7. That after the filing of chargesheet, the applicant approached the Special NDPS Court praying for regular bail under Section 483 of BNSS vide Criminal Misc. Application No. 701/2025. However, the learned Special Judge was pleased to reject the application vide order dated 12.02.2025. A copy of the order dated 12.02.2025 is annexed herewith and marked as **Annexure-D**.
- 2.8. That upon passage of time since the withdrawal of the earlier application, the applicant has now been in continuous judicial custody for over 20 months since 20.07.2024. The trial has not progressed to the stage of framing charges despite chargesheet being filed in January 2025. With 65 prosecution witnesses to be examined and complex technical evidence including FSL reports and CDR analysis to be led, the trial is conservatively estimated to take time to conclude. A copy of the case status of trial court is annexed herewith and marked as **Annexure E**.
3. Thus, the Applicant begs to prefer the present application seeking Successive Bail, arrested in connection with ATS Police Station Crime No. 04/2024 registered for offences punishable under Sections 8(c), 21(c), and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, before this Hon'ble Court on the following main, amongst other, grounds that may be urged at the time of the hearing.

GROUND

- A. The applicant submits that the applicant is totally innocent and has not committed any of the offenses as alleged as well as in the complaint papers and therefore the applicant is required to be enlarged on regular bail.
- B. The applicant has been wrongly arrayed as an accused in the present offense as the applicant had not committed any offense under Sections 8(c), 21(c), and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985. Therefore, the applicant deserves to be enlarged on bail.
- C. The applicant submits that there is no incriminating material against the present applicant in the chargesheet. That, the applicant has falsely been implicated in the present offense as there is no strong prima facie case much less any prima facie case against the applicant. In that view of the matter, this Hon'ble Court may be pleased to release the applicant on bail by imposing suitable conditions.
- D. It is most humbly submitted that co-accused statements given by Accused No. 1 and Accused No. 2 recorded during police custody cannot be the sole consideration for the incarceration of the applicant without any corroborated evidence.

**INCARCERATION DUE TO DELAY IN TRIAL
VIOLATES ARTICLE 21; BAIL CAN BE CONSIDERED
IN SUCH CASES DESPITE BAR UNDER NDPS ACT**

E. It is most pertinent to note herein that the Hon'ble Supreme Court in *Ankur Chaudhary Versus State Of Madhya Pradesh, SLP (Crl) No. 004648 / 2024* while granting bail to an applicant has been pleased to hold that:

“It is to observe that failure to conclude the trial within a reasonable time resulting in prolonged incarceration militates against the precious fundamental right guaranteed under Article 21 of the Constitution of India, and as such, conditional liberty overriding the statutory embargo created under Section 37(1)(b) of the NDPS Act may, in such circumstances, be considered.”

F. It is most pertinent to note herein that the applicant's prolonged incarceration since July 2024, a period exceeding one and half years, during which the trial has not progressed to the stage of framing charges. This unconscionable delay not only violates the applicant's fundamental right to a speedy trial as enshrined in Article 21 of the Constitution of India but also undermines the very fabric of our justice system.

- G. It is further submitted that the Hon'ble Supreme Court, in its profound wisdom, has unequivocally observed that such undue delay in the completion of a trial can and should override the statutory embargo created under Section 37(1)(b) of the Narcotic Drugs and Psychotropic Substances Act. The apex court's observation that "*failure to conclude the trial within a reasonable time resulting in prolonged incarceration militates against the precious fundamental right guaranteed under Article 21 of the Constitution of India*" serves as a beacon of hope for those caught in the labyrinthine delays. That the above-mentioned judicial pronouncement, coupled with the precedents set in landmark cases such as *Mohd. Muslim v. State (NCT of Delhi)* and *Rabi Prakash V. The State of Odisha*, reinforces the principle that the right to personal liberty should not be sacrificed at the altar of procedural delays. The Court's recognition that conditional liberty can override the stringent provisions of Section 37 in cases of prolonged incarceration reflects a nuanced understanding of the balance between societal interests and individual rights.
- H. It is pertinent to note this protracted detention without progression in the trial process not only contravenes the principles of natural justice but also imposes an undue burden on the accused, who remains cloaked in the presumption of innocence until proven guilty. In light of these compelling circumstances and the evolving jurisprudence on bail in NDPS cases, it is humbly submitted that granting conditional liberty to the applicant is not merely a matter of judicial discretion but a constitutional imperative. Such a decision would not only align with the Hon'ble Supreme Court's guidance but also reaffirm our commitment to upholding the dignity and rights of every individual, even those accused of serious offences, thereby ensuring that the scales of justice remain balanced and true.

NO RECOVERY OF CONTRABAND FROM APPLICANT'S POSSESSION - CONSCIOUS POSSESSION ESSENTIAL FOR NDPS CONVICTION

- I. It is most critical and fundamental to submit that No narcotic substance of any quantity was recovered from the applicant's possession, person, residence, or any premises under his control. Muddemal Panchnama No. 24/2024 dated 20.07.2024 categorically establishes that only one mobile phone was seized from the applicant. Not a single gram of Mephedrone or any contraband was found.
- J. It is most humbly submitted that the complete absence of any contraband from the applicant's possession creates reasonable grounds for believing that the applicant is not guilty of the offences charged, thereby satisfying the first limb of the twin conditions under Section 37(1)(b) of the NDPS Act.

APPLICANT NOT PRESENT AT CRIME SCENE - NO DIRECT EVIDENCE

- K. It is submitted that the applicant was not present at location where contraband was seized
- L. The panchnama prepared during the raid do not mention the applicant's name or presence. The independent panch witnesses never saw the applicant at the location. There is no eyewitness testimony placing the applicant at crime scene at any material time.

M. The applicant was arrested at 16:00 hours on 20.07.2024 in Mumbai, nearly 48 hours after the initial raid was conducted at the Surat factory on 18.07.2024. Being arrested in Mumbai, the applicant was geographically distant from the crime scenes. This delayed and separate arrest clearly proves the applicant was not caught red-handed. If the applicant was truly an active participant, investigating officers would have found him present at the manufacturing or storage premises, or would have recovered some contraband from his possession. However, as explicitly recorded in Muddemal Panchnama No. 24/2024, absolutely no contraband was recovered from the applicant; the only item seized from his person was a Samsung Galaxy M-13 mobile phone valued at a mere Rs. 3,000/-

N. The applicant's name emerged solely during the police custody interrogation of the co-accused (Accused Nos. 1 and 2), whose police remand was obtained between 18.07.2024 to 26.07.2024. It was only after these co-accused statements were recorded that investigating officers traveled to Mumbai to arrest the present applicant on 20.07.2024. Consequently, the arrest was effectuated entirely on the basis of information derived from co-accused statements, without any independent, corroborative material or physical recovery linking the applicant to the alleged offenses.

PRESUMPTION OF INNOCENCE SUPERSEDES THE TWIN CONDITIONS IMPOSED IN SECTION 37 OF THE NDPS ACT

- I. It is a well-settled principle that the presumption of innocence is a substantive and fundamental postulate of criminal jurisprudence. The importance of the principle has been applied from time to time by the Hon'ble Apex Court and other courts in India. The presumption of innocence is not only a human right but also a fundamental right. Hon'ble Apex Court has held that the presumption of innocence is a fundamental right and the principle is part of Article 14 and Article 21 of the Constitution of India.
- L. It is pertinent to note that the Hon'ble Supreme Court in the case of **Kalyan Chandra Sarkar vs Rajesh Ranjan alias Pappu Yadav and another** considered that personal liberty cannot be taken away except in accordance with the procedure established by law, Personal liberty is a constitutional guarantee:

However, Article 21 which guarantees the above right also contemplates deprivation of personal liberty by procedure established by law. Under the criminal laws of this country, a person accused of offences which are non-bailable is liable to be detained in custody during the pendency of trial unless he is enlarged on bail in accordance with law. Such detention cannot be questioned as being violative of Article 21 since the same is authorized by law. But even persons accused of non-bailable offences are entitled to bail if the court concerned comes to the conclusion that the prosecution has failed to establish prima facie case against him and/or if the court is satisfied for reasons to be recorded that in spite of the existence of prima facie case there is a need to release such persons on bail where fact situations require it to do so. In that process a person whose application for enlargement on bail is once rejected is not precluded from filing a subsequent application for grant of bail if there is a change in the fact situation. In such cases if the circumstances then

prevailing require that such persons be released on bail, in spite of his earlier applications being rejected, the courts can do so. The principles of res judicata and such analogous principles although are not applicable in a criminal proceeding, still the courts are bound by the doctrine of judicial discipline having regard to the hierarchical system prevailing in our country. **The personal liberty is a very valuable fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case.**

M. It is submitted that in **Manu Sharma v. State (NCT of Delhi), (2010) 6SC**, a division bench of Hon'ble Apex Court has held as follows:

*"Para 197. In the Indian criminal jurisprudence, the accused is placed in a somewhat advantageous position than under different jurisprudence of some of the countries in the world. The criminal justice administration system in India places human rights and dignity for human life at a much higher pedestal. In our jurisprudence **an accused is presumed to be innocent till proved guilty, the alleged accused is entitled to fairness and true investigation and fair trial and the prosecution is expected to play balanced role in the trial of a crime.** The investigation should be judicious, fair, transparent, and expeditious to ensure compliance with the basic rule of law. **These are the fundamental canons of our criminal jurisprudence and they are quite in conformity with the constitutional mandate contained in Articles 20 and 21 of the Constitution of India.***

*Para 301. **Presumption of innocence of an accused is a legal presumption and should not be destroyed at the very threshold through the process of media trial and that too when the investigation is pending. In that event, it will be opposed to the very basic rule of law and would impinge upon the protection granted to an accused under Article 21 of the Constitution.***

[Anukul Chandra Pradhan v. Union of India ((1996) 6 SCC 354: 1996 SCC (Cri) 1338).] It is essential for the maintenance of dignity of the courts and si one of the cardinal principles of the rule of law in a free democratic country, that the criticism or even the reporting particularly, in sub judice matters must be subjected to check and balances so as not to interfere with the administration of justice."

N. It is submitted that in **Sahara India Real Estate Corp. Ltd. v. SEBI, (2012) 10 SCC 603**, a constitution bench of Hon'ble Apex Court has held as follows:

"42.....For example, in cases where presumption of open justice must be balanced with presumption of innocence, which as stated above, is now recognised as a human right. These presumptions existed at the time when the Constitution was framed existing law under Article 19(2) and they continue till date not only as part of rule of law under Article 14 but also as an Article 21 right. The constitutional protection in Article 21 which protects the rights of the person for a fair trial is, in law, a valid restriction operating on the right to free speech under Article 19(1)(a), by Virtue of force of it being a constitutional provision."

*"47. One more aspect needs to be mentioned. Excessive prejudicial publicity leading to usurpation of functions of the court not only interferes with administration of justice which is sought to be protected under Article 19(2), it also prejudices or interferes with a particular legal proceeding. In such case, courts are duty-bound under inherent jurisdiction, subject to above parameters, **to protect the presumption of innocence which is now recognised by this Court as a human right under Article 21, subject to the applicant proving displacement of such a presumption in appropriate proceedings.**"*

O. It is submitted that from the above judgments the Presumption of Innocence is a sacrosanct principle of criminal jurisprudence and it is part of Articles 14 and 21. It is also a well-settled principle that a fundamental right cannot be negated or superseded by any statute.

The Section 37 of NDPS Act reads as follows:

"37. Offences to be cognizable and non-bailable.

1. Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974)

a. every offence punishable under this Act shall be cognizable;

b. no person accused of an offence punishable for [offences under section 19 or section 24 or section 27A and for offences involving commercial quantity] shall be released on bail or on his own bond unless: -

i. the Public: Prosecutor has been given an opportunity to oppose the application for such release, and

ii. where the Public Prosecutor opposes the application, the court is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail.

2. The limitations on granting of bail specified in clause (b) of sub-section (1) are in addition to the limitations under the Code of Criminal Procedure, 1973 (2 of 1974) or any other law for the time being in force, on granting of bail."

Though Section 37 has a non-obstante clause that excludes the provisions contained in the Criminal Procedure Code/BNSS the section did not exclude the basic principles of criminal jurisprudence and fundamental right provided under the Constitution of India. The twin conditions mentioned in section 37 of the NDPS Act are in clear violation of the presumption of innocence principle which is a fundamental right under Article 21 of the Constitution. Therefore, the dismissal of the bail application is invalid.

P. It is pertinent to note that the Hon'ble High Court of Rajasthan in the case of **Amarpreet Singh vs State of Rajasthan** the court allowed the second bail application of the accused-petitioner based on the substantial change in circumstances, including the statements of key witnesses turning hostile based on the principle that a substantial change in circumstances, such as key witnesses turning hostile, can warrant the granting of a bail application. It is humbly submitted that there are as many as 65 witnesses and accused in this case who may later turn hostile to be examined during the trial, hence the completion of the trial would take a long time and further, from the perusal of case status, it is revealed that there is no substantial progress in trial. Therefore, requesting this Hon'ble Court to enlarge the applicant on regular bail.

THE ARREST WAS BASED ON THE CO-ACCUSED STATEMENT

Q. It is humbly submitted that the Applicant/Accused No. 3 was arrested on 20.07.2024 solely based on the alleged statements of the co-accused recorded during their police custody remand between 18.07.2024 and 26.07.2024. It is well-settled law that a co-accused's confession is considered a weak type of evidence and cannot be the sole consideration to keep a person incarcerated for a long term without any corroborated evidence. The Applicant has now been languishing in continuous judicial custody for a prolonged period of 20 months, while the trial has not even progressed to the stage of framing charges. This Hon'ble Court has held time and again that 'Bail is the rule and Jail is the exception'. Furthermore, the Hon'ble Supreme Court in *Toofan Singh v. State of Tamil Nadu* has categorically held that a confessional statement recorded under Section 67 of the NDPS Act will remain inadmissible in the trial of an offense under the NDPS Act. Because the entire edifice of the prosecution's case against the applicant rests primarily on these inadmissible statements made to police officers, it violates fundamental principles of criminal jurisprudence.

CALL DETAIL REPORTS RE A MATTER OF TRIAL

R. The Call Detail Reports are matters of trial and require a judicial opinion after the trial concludes. In ***Narcotics Control Bureau v. Pallulabid Ahmad Arimutta, (2022) 12 SCC 633***, a three-judge bench of Apex Court has held that as follows:

"12. It has been held in clear terms in *Tofan Singh v. State of T.N.* [*Tofan Singh .v State of T.N., (2021) 4 SCC :1 (2021) 2 SCC (Cri) 246*], that a confessional statement recorded under Section 67 of the NDPS Act will remain inadmissible in the trial of an offence under the NDPS Act. In the teeth of the aforesaid decision, the arrests made by the petitioner NCB, based on the confession/voluntary statements of the respondents or the co-accused under Section 67 of the NDPS Act, cannot form the basis for overturning the impugned orders [*Pallulabid Ahamad Arimutta v. State, 2019 SCC Online Kar 3516*], [*Mohd. Afzal v. Union of India, 2020 SCC Online Kar 3433*], [*Munees Kavil Paramabath v. State, 2020 SCC Online Kar 3431*], [*Abu Thahir v. State, 2019 SCC Online Kar 3517*], [*Mohd. Afzal .v Union of India, 2020 SCC Online Kar 1294*], [*Munees Kavil Paramabath v. State of Karnataka, 2020 SCC Online Kar 3432*] releasing them on bail. **The CDR details of some of the accused or the allegations of tampering of evidence on the part of one of the respondents is an aspect that will be examined at the stage of trial.** For the aforesaid reason, this Court is not inclined to interfere in the orders dated 16-9-2019 (*Pallulabid Ahamad Arimutta v. State, 2019 SCC Online Kar 3516*), 14-1-2020 [*Mohd. Afzal v. Union of India, 2020 SCC Online Kar 3433*], 16-1-2020 (*Munees Kavil Paramabath v. State, 2020 SCC Online Kar 3431*), 19-12-2019 (*Abu Thahir v. State, 2019 SCC Online Kar 3517*) and 20-1-2020 [*Munees Kavil Paramabath v. State of Karnataka, 2020 SCC Online Kar 3432*] passed in SLP (Crl.) No. arising out of Diary No. 22702 of 2020, SLP (Crl.) No. 1454 of 2021, SLP (Crl.) No. 1465 of 2021, SLPs (Crl.) Nos. 1773-74 of 2021 and SLP (Crl.) No. 2080 of 2021 respectively. The impugned orders (*Pallulabid Ahamad Arimutta v. State, 2019 SC Online Kar 3516*), [*Mohd. Afzal v. Union of India, 2020 SCC Online Kar 3433*], [*Munees Kavil Paramabath .v State, 2020 SCC Online Kar 3431*], [*Abu Thahir v. State, 2019 SCC Online Kar 3517*], [*Mohd. Afzal v. Union of India, 2020 SCC Online*

Kar 1294], [Munees Kavil Parambath v. State of Karnataka, 2020 SCC Online Kar 3432] are, accordingly, upheld and the special leave petitions filed by the petitioner NCB seeking cancellation of bail granted to the respective respondents, are dismissed as meritless. "

S. In Mohd. Muslim v. State (NCT of Delhi), 2023 SCC Online SC 352, a division bench of Hon'ble Apex Court has held as follows:

"20. A plain and literal interpretation of the conditions under Section 37 (i.e., that Court should be satisfied that the accused is not guilty and would not commit any offence) would effectively exclude grant of bail altogether; resulting in punitive detention and unsanctioned preventive detention as well. Therefore, the only way such special conditions as enacted under Section 37 can be considered within constitutional parameters is where the court is reasonably satisfied on prima facie look at the material on record (whenever the bail application is made) that the accused is not guilty. Any other interpretation, would result in complete denial of the bail to a person accused of offences such as those enacted under Section 37 of the NDPS Act.

21. The standard to be considered therefore, is one, where the court would look at the material in a broad manner, and reasonably see whether the accused's guilt may be proved. The judgments of this court have, therefore, emphasized that the satisfaction which courts are expected to record, ie, that the accused may not be guilty, is only prima facie, based on a reasonable reading, which does not call for meticulous examination of the materials collected during investigation (as held in Union of India v. Ratan Malik¹⁹). Grant of bail on grounds of undue delay in trial, cannot be said to be fettered by Section 37 of the Act, given the imperative of Section 436A which is applicable to offences under the NDPS Act too (ref.

Satender Kumar Antil supra). Having regard to these factors the court is of the opinion that in the facts of this case, the appellant deserves to be enlarged on bail. "

T. In **Balwinder Singh (Binda) Vs. The Narcotics Control Bureau MANU/SC/1047/2023** a three-judge bench of Apex Court has held that as follows:

" On the other hand, for the reasons given by us in this judgment, the judgments of Noor Aga [Noor Aga v. State of Punjab, MANU/SC/2913/2008 : (2008) 16 SCC 417: (2010) 3 SCC (Cri) 748] and Nirmal Singh Pehlwan v. Inspector, Customs [Nirmal Singh Pehlwan v. Inspector, Customs, MANU/SC/0957/2011 : (2011) 12 SCC 298: (2012) 1 SCC (Cri) 555] are correct in law.

We answer the reference by stating:

That the officers who are invested with powers Under Section 53 of the NDPS Act are "police officers" within the meaning of Section 25 of the Evidence Act, as a result of which any confessional statement made to them would be barred under the provisions of Section 25 of the Evidence Act, and cannot be taken into account in order to convict an Accused under the NDPS Act.

That a statement recorded Under Section 67 of the NDPS Act cannot be used as a confessional statement in the trial of an offence under the NDPS Act.

*In view of the aforesaid decision that declares that **any confessional statement made by an Accused to an officer invested with the powers Under Section 53 of the NDPS Act, is barred for the reason that such officers are "police officers" within the meaning of Section 25 of the Evidence Act, a statement made by an Accused and recorded Under Section 67 of the NDPS Act cannot be used as a confessional statement in the trial of an offence under the NDPS Act.***

PROSECUTION'S CASE BASED ON INADMISSIBLE EVIDENCE

O. It is submitted that the prosecution's case against the applicant is primarily founded on alleged statements given by co-accuseds during their police custody remand between 18.07.2024 and 26.07.2024.

P. Section 25 of the Indian Evidence Act, 1872 categorically provides:

"No confession made to a police officer shall be proved as against a person accused of any offence."

Q. Section 26 of the Indian Evidence Act, 1872 further provides:

"No confession made by any person whilst he is in the custody of a police officer, unless it be made in the immediate presence of a Magistrate, shall be proved as against such person."

R. It is submitted that in the present case, there is no substantive evidence against the applicant apart from co-accused statements. The entire edifice of the prosecution's case rests on inadmissible evidence, which violates fundamental principles of criminal jurisprudence.

NO CORROBORATIVE MATERIAL OR DOCUMENTARY LINKING EVIDENCE

S. It is respectfully submitted that the prosecution has not produced any independent or corroborative material connecting the applicant with the alleged offence under the NDPS Act.

- T. The chargesheet does not disclose recovery of any incriminating documents, records, or communications attributable to the applicant that may substantiate his alleged role in the conspiracy.
- U. No written communications, electronic records (such as WhatsApp chats, emails, or messages), or documents relating to procurement, storage, transportation, or sale of contraband have been recovered from the applicant.
- V. In the absence of such corroborative evidence, the prosecution case rests merely on presumptions and unverified statements, which, by settled law, cannot constitute reasonable grounds for believing the applicant's guilt under Section 37 of the NDPS Act.
- W. The absence of any independent or documentary link significantly weakens the prosecution story and strengthens the applicant's claim of false implication and non-involvement.

MITIGATING FACTORS FAVORING THE GRANT OF BAIL

- U. The following are the factors which are favoring the grant of bail to the petitioner:
1. The applicant was neither in the possession of any contraband during the arrest, nor was he present at the place where the contraband was found on 18.07.2024.

2. The applicant was arrested on 20.07.2024. The investigation was completed and the chargesheet was filed on 09.01.2025. The applicant has now been in continuous judicial custody for 20 months, and the trial court has not yet framed the charges. Given the situation mentioned in this para, including the fact that the case remained stuck at the "Process to Accused" stage for over 14 months and that there are 65 prosecution witnesses listed to be examined, it is highly unlikely the trial will be concluded anytime soon.

V. It is most humbly submitted that in ***Mohd. Muslim v. State (NCT of Delhi), 2023 SCC Online SC 352***, a division bench of this Hon'ble Court has held as follows:

"22. Before parting, it would be important to reflect that laws which impose stringent conditions for grant of bail, may be necessary in public interest; yet, if trials are not concluded in time, the injustice wrecked on the individual is immeasurable. Jails are overcrowded and their living conditions, often, appalling. According to the Union Home Ministry's response to Parliament, the National Crime Records Bureau had recorded that as on 31st December 2021, over 5,54,034 prisoners were lodged in jails against total capacity of 4,25,069 lakhs in the country²⁰. Of these 1,22,852 were convicts; the rest 4,27,185 were undertrials.

*23. The danger of unjust imprisonment, is that inmates are at risk of "prisonisation" a term described by the Kerala High Court in *A Convict Prisoner v. State* as "a radical transformation" whereby the prisoner:*

"loses his identity. He is known by a number. He loses personal possessions. He has no personal relationships. Psychological problems result from loss of freedom, status, possessions, dignity and autonomy of personal life. The inmate culture of prison turns out to be dreadful. The prisoner becomes hostile by ordinary standards. Self-perception changes. "

*24. There is a further danger of the prisoner turning to crime, "as crime not only turns admirable, but the more professional the crime, more honour is paid to the criminal"²² (also see Donald Clemmer's *The Prison Community*' published in 1940). Incarceration has further deleterious effects - where the accused belongs to the weakest economic strata: immediate loss of livelihood, and in several cases, scattering of families as well as loss of family bonds and alienation from society. The courts therefore, must be sensitive to these aspects (because in the event of an acquittal, the loss to the accused is irreparable), and ensure that trials - especially in cases, where special laws enact stringent provisions, are taken up and concluded speedily.*

25. For the above reasons, the appellant is directed to be enlarged on bail, subject to such conditions as the trial court may impose. The appeal is allowed, in the above terms. No costs."

- W. It is most humbly submitted that the arrest of the petitioner is primarily based on confession statements of co-accused recorded under section 67 of the NDPS Act which, as per settled legal principles in *Tofan Singh Vs. State of Tamil Nadu (2021)*, is inadmissible in nature.
- X. It is most respectfully submitted that considering the fact that the premises, where the alleged contraband was found, is not owned, or controlled by the petitioner.

- Y. It is also submitted that the petitioner is not accused of direct participation in the manufacturing process. The primary accusations relate to hiring and financial assistance, but there is no concrete evidence to substantiate these claims.
- Z. It is most respectfully submitted that relying on Call Detail Reports (CDRs) to establish prima facie evidence of the accused's involvement, erroneously delves into evidentiary matters best suited for trial, as emphasized in *Narcotics Control Bureau v. Pallulabid Ahmad Arimutta (2022) 12 sec 633*.
- AA. It is settled legal principle should be upheld that during a bail application, the court need not determine prima facie of being guilty by meticulously examining the evidence available, which is a matter for trial. Instead, the focus ought to be on whether the accused is likely to commit the offense while on bail.
- BB. It is also submitted that the dismissal of the bail application based on Section 37 of the NDPS Act infringes upon the sacrosanct presumption of innocence, a fundamental right under Article 21. The non-obstante clause in Section 37 should not exempt the application of basic principles of criminal jurisprudence and fundamental rights enshrined in the Constitution of India.

- CC. It is further submitted that the imposition of twin conditions for regular bail under Section 37 of the NDPS Act, without a corresponding provision for anticipatory bail, creates an arbitrary classification, violating the principles of Articles 14 and 21 of the Constitution of India. While Section 37 outlines specific conditions for regular bail, it fails to establish any conditions for anticipatory bail, leading to an unreasonable distinction. The resulting situation, where a person granted anticipatory bail remains free throughout the trial without satisfying the twin conditions of Section 37, while another arrested individual must meet these conditions for bail, reflects a manifestly arbitrary and unjust scenario, contravening constitutional principles.
- DD. It is further submitted that the continued detention based on a co-accused confession under Section 67 of the NDPS Act, considered weak evidence, contradicts the principle that "Bail is a rule, and Jail is an exception".
- EE. It is submitted that the protracted detention of the petitioner, exceeding one year without the framing of charges and the delay in commencing the trial, as highlighted in *Mohd. Muslim v. State (NCT of Delhi)*, 2023 SCC Online SC 352, raises serious constitutional concerns. Emphasising the imperative of expeditious trials, particularly in cases under the NDPS Act, it is contended that continued incarceration without trial initiation results in severe injustice.

- FF. It is further submitted that the present petitioner has no direct connection with the contraband substance which was seized by the Narcotic control Bureau.
4. The Applicant has not filed any other petition and/or application before this Hon'ble Court or any other Court of law regarding the subject matter, except as stated hereinabove.
 5. The Applicant has no other equally efficacious alternative remedy but to present this petition before this Hon'ble Court.
 6. **The Applicant, therefore, prays that;**
 - a. This Hon'ble Court may be pleased to enlarge the Applicant forthwith on bail arrested on 20.07.2024 in connection with ATS Police Station Crime No. 04/2024 registered for offences punishable under Sections 8(c), 21(c), and 29 of the NDPS Act on such reasonable terms and conditions as this Hon'ble Court may deem fit to impose in the interest of justice and circumstances of the case; and
 - b. For such further and other reliefs as this Hon'ble Court may deem fit to impose in the interest of justice and circumstances of the case.

AND FOR THIS ACT OF KINDNESS AND JUSTICE THE PETITIONERS AS IN DUTY BOUND SHALL, FOREVER PRAY.

Place: Ahmedabad

Date: __/__/2026

Advocate for Applicant

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
SPECIAL LEAVE PETITION (CRL.) NO. _____ OF 2026

IN THE MATTER OF:

Abbhurera @ Munna S/o Ansar Ahemad Shaikh ...Petitioner

Versus

State of Gujarat ...Respondent

**APPLICATION SEEKING EXEMPTION FROM FILING
OFFICIAL TRANSLATION OF ANNEXURE P-1 AND P-2
TO**

**THE HON'BLE CHIEF JUSTICE OF INDIA
AND HIS OTHER COMPANION JUSTICES OF
THE HON'BLE SUPREME COURT OF INDIA**

**THE HUMBLE PETITION OF
THE PETITIONER
ABOVENAMED**

MOST RESPECTFULLY SHEWETH:

1. That the Petitioner has filed the accompanying Special Leave Petition against the impugned order dated 24.04.2026 passed in Criminal Misc. Application No. 1989 of 2026 by High Court of Gujarat at Ahmedabad.
2. That detailed facts leading to the filing of the instant application have been mentioned in complete details in the accompanying Special Leave Petition and the same are not being repeated herein for the sake of brevity and to avoid prolixity. The Petitioners craves leave of this Hon'ble Court

to refer to and rely upon the accompanying petition for the purpose of present application also.

3. That the Annexure P-1 and Annexure P-2 were in Gujarati and the same has been got translated into English by the official translator due to the urgency in the matter and paucity of time and the same is true and correct to its original Gujarati Version.
4. That this Application is being made bonafide and in the interest of justice.

PRAYER

In the circumstances aforesaid, the Petitioners most humbly prays that this Hon'ble Court may graciously be pleased to:-

- (a) exempt the petitioner from filing official translation of the Annexure P-1 and Annexure P-2; and
- b) pass such further or other orders as this Hon'ble Court may deem fit and proper.

AND FOR THIS ACT OF KINDNESS THE PETITIONERS AS IN DUTY BOUND SHALL EVER PRAY.

Draft Settled by
Mr. Himanshu
Mishra (Adv)

Filed by:



NIVESH KUMAR
ADVOCATE FOR THE
PETITIONER

Filed on: 12.06.2026
Place: New Delhi

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