

**Present: C.B. Gogoi, Special Judge,
Sonitpur, Tezpur.**

Spl. (NDPS) Case No. 20/2022

ORDER

04-06-2022

After completion of investigation I.O. finally laid the charge-sheet against accused Nurul Islam u/s 20(A) NDPS Act. To this effect, a Special NDPS Case No. 20/2022 is registered.

But, on perusal of the case record, it transpires that police allegedly seized 850 gram of suspected ganja and 3 nos. of hookah from the possession of accused persons which appears to be small quantity of drugs.

As per Section 36 (A)(i)(a) of NDPS Act all offences under this act which are punishable with imprisonment for a term of more than 3 (three) years shall be tried only by the Special Court constituted for the area. In the present case, I.O. submitted charges-sheet against the accused persons u/s 20(b)(ii)(A) NDPS Act which is punishable with rigorous imprisonment for a term which may extend to 1 (one) year or with fine which may extend to Rs. 10,000/- or with both, the offence therefore, appears to be triable by Magistrate only.

In view of the above, the case record is forwarded to the court of Chief Judicial Magistrate, Sonitpur, Tezpur for trial/ disposal.

Accused Md. Allaluddin, Md. Habibullah & Abdul Rahman are accordingly directed to appear before the court of Chief Judicial Magistrate, Sonitpur, Tezpur on **01-07-2022** to stand trial.

Special Judge,
Sonitpur, Tezpur.