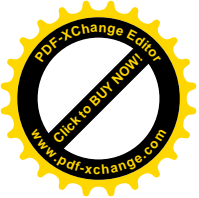




B

SYNOPSIS AND LIST OF DATES

The Present Special Leave Petition is directed against the final order dated 6.8.2023 Passed by the Hon'ble the High Court of Judicature for Rajasthan at Jaipur Bench Jaipur in S.B. Criminal Misc. Suspension of Sentence Application No.-----/2024 in S.B. Criminal Appeal No.-----/2023. Whereby Hon'ble High Court has dismissed bail of petitioner under section 8/18 of NDPS Act. That Hon'ble High court did not consider the facts and circumstance of the case that trial court had convicted to petitioner for period of 6 years whereby accused petitioner has served 1 year custody in Jail and during trial accused petitioner was on bail and did not misused the liberty of the bail. Police recovered 370 gm Opium from room of another accused. Accordance with FSL report the sample packed in each of the packets marked A was found to contain chief constitutes of the coagulated juice of opium poppy having 5.43%(five point four three percent) morphine. The sample of contraband sent to FSL to delay of one month whereby laboratory is situated near police station. The independent witnesses PW-5 and Pw-9 have turned hostile. That information from an informer has been received at Pratap Nagar Police Station and seizure action has been taken by Police Officer Sanganer. Police has recovered opium from priest



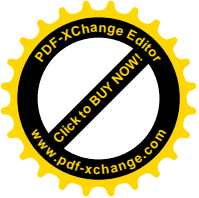
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of temple and the accused petitioner went to temple for worshipping. Above mentioned facts had not been consider by the Hon'ble High court.

That on 17.10.2016 an FIR bearing no. 885/16 got registered at Police Station Pratap Nagar, Jaipur u/s 8/18 of NDPS Act, inter alia alleging that the petitioner along with other accused persons was caught by police along with opium and the accused persons used the said opium for making enhancing drugs.

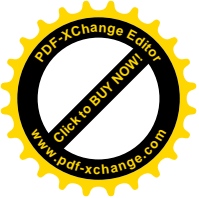
List of dates

17.10.2016	That on 17.10.2016 an FIR bearing no.-----/2016 got registered at police station Pratap Nagar Jaipur u/s Section 8/18 of NDPS Act, inter alia alleging that during the petitioner along with other accused persons was caught by police along with opium for making performance enhancing drugs. Police has recovered 370 gram opium from co-accused. A copy of the FIR dated 23.05.2023 is annexed hereto and marked as Annexure-P-1 (page no. 31-42)
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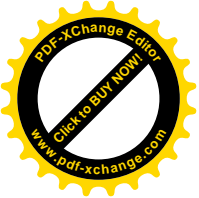
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11.11.2016	<p>That another co-accused filed a S.B. Criminal Misc. Bail application no.-----/2016 before the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur whereby Hon'ble High court has granted bail of another co-accused Shanker Lal vide order dated November11,2016..</p> <p>A copy of the order dated 11/11/2024 is annexed hereto and marked as Annexure-P-2 (page no.43-44)</p>
19.11.2016	<p>That petitioner Ram Singh filed a S.B. Criminal Misc. Bail application no.-----/2016 before the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur whereby Hon'ble High court has granted bail of petitioner Ram Singh vide order dated November19,2016. A copy of the order dated 19/11/2024 is annexed hereto and marked as Annexure-P-3 (page no-45-46)</p>
19.11.2016	<p>That other co-accused filed a S.B. Criminal Misc. Bail application no.-----/2016 before the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur whereby Hon'ble High court has</p>



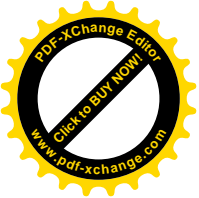
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	<p>granted bail of another co-accused Visambhar Das vide order dated November19,2016. A copy of the order dated 19/11/2016 is annexed hereto and marked as Annexure-P-4 (page no.47-48)</p>
19.11.2016	<p>That other co-accused filed a S.B. Criminal Misc. Bail application no.-----/2016 before the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur whereby Hon'ble High court has granted bail of another co-accused Krishna Gopal Shanrma Das vide order dated November19,2016. A copy of the order dated 19/11/2016 is annexed hereto and marked as Annexure-P-5 (page no.49-50)</p>
28.2.2017	<p>That Forensic Science Laboratory Rajasthan has sent a report delay of one month. Incident has occurred on dated 17.10.2016 while FSL report sent on 17.11.2016 and on 03.11.2016 packet of FSL report has returned from laboratory. Delay of sending FSL police could not explain during trial of accused. A copy of the FSL report dated 28.2.2017 is annexed hereto and marked as ANNEXURE-P-</p>

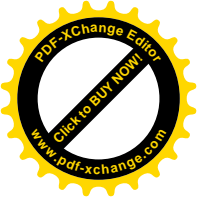


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	6 (page no. 51-53)
25.03.2019	That the statement of independent witness ----- ----- Pw-19 has recorded on 29.03.2019 of the case, being declared hostile do not support the prosecution's story and due to the independent witnesses turned hostile, the seizure is not supported by the independent witnesses. A true and translated copy of the statement dated 25.03.2019 is annexed hereto and marked as ANNEXURE-P-7. (page no. 54-57)
8.03.2022	That the independent witness Pw-1 -----of the case being declared hostile, do not support the prosecution's story and due to the independent witnesses turned hostile, the seizure is not supported by the independent witness. A true and translated copy of the statement dated 8.03.2019 is annexed hereto and marked as ANNEXURE-P-8. (page no. 58-60)
4.01.2021	That after trial court has heard the the arguments of advocates, on 04.01.2019, accused Gopal were



	<p>charged under Section 8/18 NDPS. When the charges for the offense under the Act, 1985 were framed and explained separately, the accused, after hearing and understanding the said allegation, denied the allegation and sought trial</p>
29.09.2023	<p>That the Judgment of sentence (conviction) dated ----- .09.2023 passed by Special Judge NDPS Cases (Session Judge), Jaipur Metropolitan- First in Session Case (NDPS) No.-----/2017 (State of Rajasthan Vs. -----and Ors.)whereby accused petitioner has been convicted and sentenced as under:</p> <p><u>UNDER SECTION -8/18 OF NDPS ACT</u></p> <p>Six years of Rigorous imprisonment and fine of Rs. 20,000/-and in default of payment of fine further 3 months additional imprisonment. A true and translated copy of the Judgment of sentence dated 29.09.2023 is annexed hereto and marked</p>



H

	as ANNEXURE-P -9 (page no. 61-237)
19.10.2023	That after petitioner has filed S.B. Criminal Misc. Suspension of Sentence Application No. ----- /2023 in S.B. Criminal Appeal No.-----/2023 in the High Court of Judicature for Rajasthan at Jaipur bench Jaipur Rajasthan whereby hon'ble High court has dismissed the S.B. Criminal Misc. Suspension of Sentence Application No. ----- /2023 without considering the facts and circumstance the case.
00.00.2026	Hence this Special Leave Petition