

**THE 7TH ANNUAL
ADV. B. P. APTE MEMORIAL
NATIONAL MOCK TRIAL,
MOOT COURT & JUDGEMENT
WRITING COMPETITION, 2019.**

20th – 22nd September, 2019

PAPERBOOK

PAPERBOOK

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, MUMBAI.

STATE OF MAHARASHTRA

(At the instance of the Ganesh Nagar

Police station Parel, Mumbai)

.....Complainant

Versus

Ms. Leila Romanoff & ors.

.....Accused

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DISCLAIMER

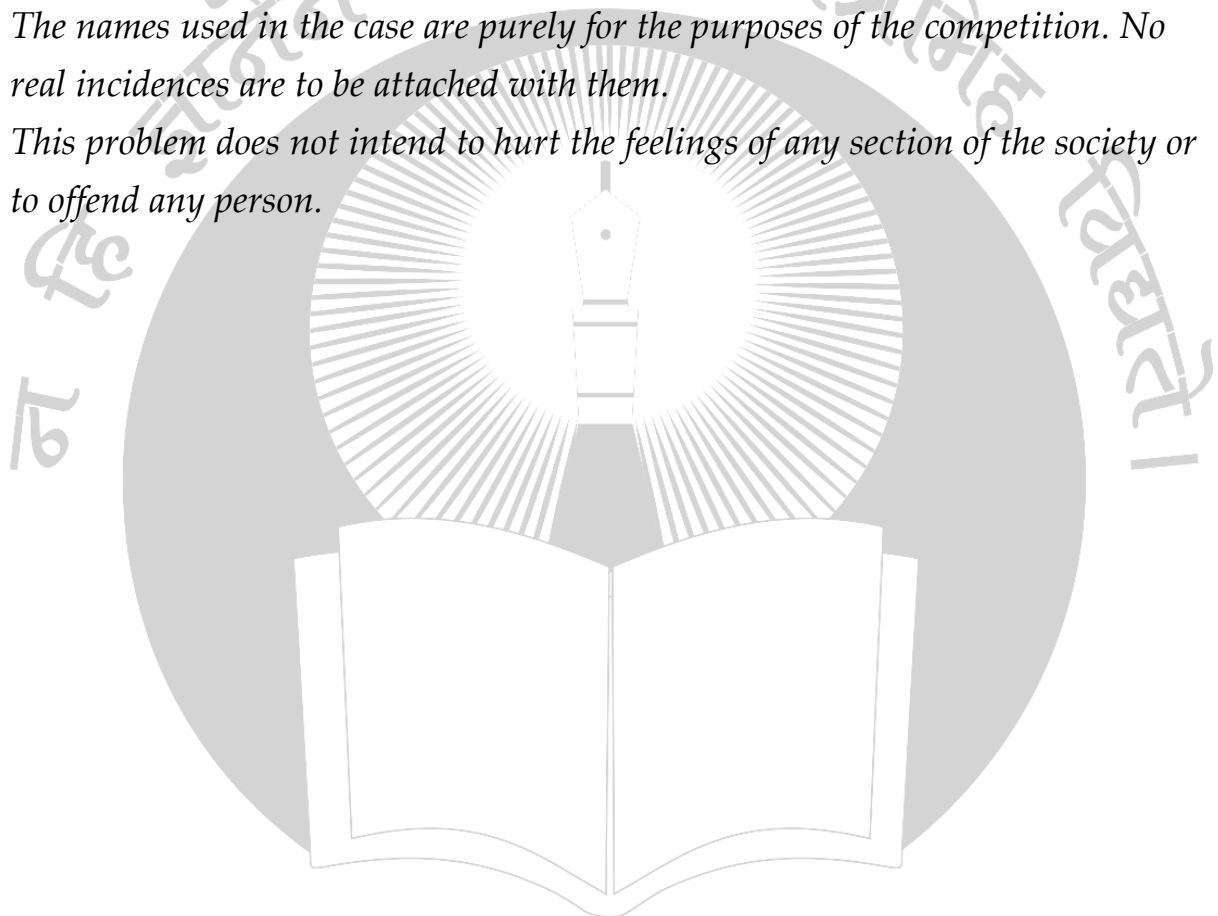
The facts stated in the present case are fictitious and have been drafted solely for the purposes of the competition. The facts, names, locations and dates bear no resemblance to any person, event or happening whether dead or alive. Any resemblance, if any found is purely co-incidental.

No additional evidence or additional witness testimonies (other than provided) can be brought on record by any team for the purposes of the competition.

Failure to adhere to the same will result in disqualification.

The names used in the case are purely for the purposes of the competition. No real incidences are to be attached with them.

This problem does not intend to hurt the feelings of any section of the society or to offend any person.



ABACL

STATEMENT OF FACTS

The Union of Findia is a unique entity in many respects and a nation following the Centre-biased form of a federation. Besides the duly established laws, morality and cultural norms play a huge role in influencing the policies of the state. The humongous population of the state follows a plethora of religions, practice a variety of faiths and these have a very heavy influence on the way of life of the people. While essentially different, these socio-cultural and religious sects have one very unlikely, nevertheless, a common aspect– the use of recreational drugs.

It came to the notice of the Government that the problem of usage of narcotic drugs and other addictive substances is increasing in the society, harming not only the moral fabric, but also the law and order situation in the Union of Findia. To tackle this problem, it was found that the conventional legislations were excessively falling short to meet the desired objective. Therefore, the Union Legislative Body, i.e. the Parliament of Findia brought in '**The Narcotic Drugs and Psychotropic Substances Act, 1985**' (herein after referred as NDPS Act).

In the State of Maharashtra, there exists a religious cult headed by one, Kishu Rado since 1950s. The cult believes in attaining the state of *nirvana* by a "technique of transformation". The cult took pride in defying the set social norms and standards of morality as the mind appeals to such notions and deprives the human being of the ability to live authentically causing them to repress their genuine emotions and to shut themselves off from the joyful experiences that arrive naturally when embracing the present moment.

The cult, since its inception, has been indulging in practices which are believed to be in contravention of present laws. The cult indulges and propagates various behaviours which are considered to be immoral, including but not limited to promiscuity and usage of certain substances which will liberate them and set them on the path to attain *nirvana*.

A final year law student, Barty Junior, came into contact of one Maa Liela, who was an active member of the abovementioned cult, through social media. She promised to guide him to attain mental peace and *nirvana* if he would incorporate the teachings of the cult in his life. Upon Maa Liela's persistent persuasion, Barty agreed to meet Kishu, the leader of the cult, at her residence to begin his journey towards indoctrinating the teachings of the cult in May, 2019.

Impressed by the rebellious and modernistic views, Barty visited Maa Liela's residence on 11th June, 2019 once again and decided to meet on 25th June, 2019 for the next session. Thereafter on 23rd June, 2019 the police received an anonymous tip regarding some drug related activity at the residence of Maa Liela.

On 25th June, 2019, Barty arrived at her residence at around 9:00 am and saw Kishu already meditating. They began the session at around 9:30 am. Thereafter in order to help Barty focus on his meditation and understand and appreciate the Kishu way of life better, Maa Liela offered him a packet of a brownish white powder which she called the 'essence of heaven'. Kishu explained him the correct way to take in the essence. He also told Barty that he had been taking the essence since a while and that it takes you into a world of *nirvana*, away from the chaos of life. At first Barty resisted, but when Kishu persuaded him, he also took in the essence.

At around 10:15 am PI Kiran Desai along with his raiding unit arrived at Maa Liela's residence. They rang the door-bell at first. However, when there was no response, PI Desai decided to break open the door. On entering, they saw Barty, Kishu and Maa Liela sitting on the floor. They saw lines of brownish white powder on the dining table and an open packet which they suspected to be an addictive substance which is commonly known as heroin. Upon being asked, Maa Liela said that the powder was being used for meditation. Further they also came across a brief case on the 1st floor of the house wherein there were 2 packets of the similar powder. They seized, sealed and also collected samples for chemical analysis.

Based on these circumstances, they decided to arrest the trio by complying with due procedure for arrest, search and seizure specified under the NDPS Act, 1985. Charges were framed against the three of them under the NDPS act, 1985.

Aggrieved by the arrest, Kishu and Maa Liela took the defense that whatever they did was within the four corners of their house, and thus within their Right to Privacy guaranteed under Article 21 of the Constitution of India. Their activities didn't disturb any third person and hence the State had no business in interfering with their personal life. Thus, they filed a Public Interest Litigation in the Hon'ble Supreme Court of India and challenged the constitutional validity of section 27 of the NDPS Act. Several other petitions challenging various other provisions were also filed in the Supreme Court. The Supreme Court has clubbed all these Petitions to be heard together. They also prayed for a stay on the trial till the Supreme Court decided on the said PIL. However, the Supreme Court was not inclined to stay the matter and allowed the trial to proceed on its own accord.

Note- In the preliminary rounds, the teams are required to lead evidence and argue once from the Prosecution side and once from the Defence side. The teams qualifying for the semi-final round are required to argue upon the Constitutional validity of the provisions which are under challenge before the Supreme Court. Thus, the Preliminary round shall be a Trial before the Court of the Principal Sessions Judge, whereas the subsequent rounds shall be in the nature of arguments upon the Constitutional validity of the provisions which are under challenge. For elaborate details regarding the nature of the competition, please refer to the rules and regulations. The trial is to be conducted as per the procedure mandated by the Code of Criminal Procedure. Please note that all laws in the Union of India including the 'The Narcotic Drugs and Psychotropic Substances Act, 1985' (NDPS) are para materia to the laws as they are in India.

FIRST INFORMATION REPORT (FIR)

(Under Section 154 of the Code of Criminal Procedure)

1.

- a) State: Maharashtra
- b) District: Mumbai
- c) Police Station: Ganesh Nagar
- d) FIR No. 123
- e) Year 2019
- f) Date: 25/06/2019

2. **Act-** Narcotic Drugs and Psychotropic Substances Act, 1985 **Sections:** sec 17, 21(c), and 25. Accused no. 1- Maa Liela

Act- Narcotic Drugs and Psychotropic Substances Act, 1985 **Sections:** sec 27. Accused no. 2 - Kishu Rado

Act- Narcotic Drugs and Psychotropic Substances Act, 1985 **Sections:** sec 27. Accused no.3- Barty Junior

3. (a) Occurrence of offence

Day - Tuesday

Date - 25.06.2019

Time- 10:00 am. (Approximately)

(b) Information received at police station -

Date: 23.06.2019

Time: 07:30 pm

(c) General Diary Reference:

Entry No. 48 Date: 23.06.2019 7:50 pm

4. Type of information: Oral (Telephonic)

5. (a) Place of Occurrence: Happy Villa, Redcross Road, Matunga

Direction and distance from police station: 500 metres.

Chouki/ Beat No.: N/A

(b) Address of occurrence: Happy Villa, Redcross Road, Matunga, Mumbai.

Ward: F North

(c) In case outside the limit of this police station then that police station's

Name: N/A

Taluka: N/A

District: N/A

State: N/A

6. Complainant/ Informant-

· Name: Anonymous tip

· Father's/ Husband's name: N/A

· Address: N/A

· Ward: N/A

· District: N/A

· State: N/A

7. Details, Name and Address of Accused:

1) Name: Ms. Liela Romanoff (Maa Liela) (Accused no 1)

Age: 35

Address: Happy Villa, Redcross Road, Matunga, Mumbai – 415001.

2) Name: Mr. Kishu Rado (Accused no. 2)

Age: 40

Address: Nirvana Asharam, M G Road, Juhu, Mumbai – 412300.

3) Name: Mst. Barty Junior (Accused no. 3)

Age: 23

Address: B/106, Rosewoods, L B S Road, Mahim, Mumbai – 415002.

8. Reasons for delay in reporting by the Complainant/ Informant: N/A

9. Particulars of properties stolen/recovered: Total 265gm. brownish white powder

10. Total value of properties: Rs. 25,97,000/-

11. Unnatural/ Accidental death case no.: N/A

12. FIR Content: On this specified day, accused no. 1, Ms. Liela Romanoff, accused no. 2, Kishu Rado and accused no. 3, Barty Junior, were arrested at the residence of accused no. 1. Some loose powder was found on the table and two packets of the identical brownish white powder were found in the cupboard. They were seized accordingly.

13. Action taken:

(1) Registered the case and took up the investigation

(2) Refused to take up investigation: N/A

F.I.R read over to the Complainant/Informant, admitted to be correct and copy given
to the Complainant/Informant free of cost.

Sd/-

Kiran Manoj Desai

Signature of Officer-in-charge,
Ganesh Nagar Police Station,
Mumbai

Sd/-

Sushant Gaikwad

Constable, Ganesh
Nagar Police station

Signature of
complainant/
Informant

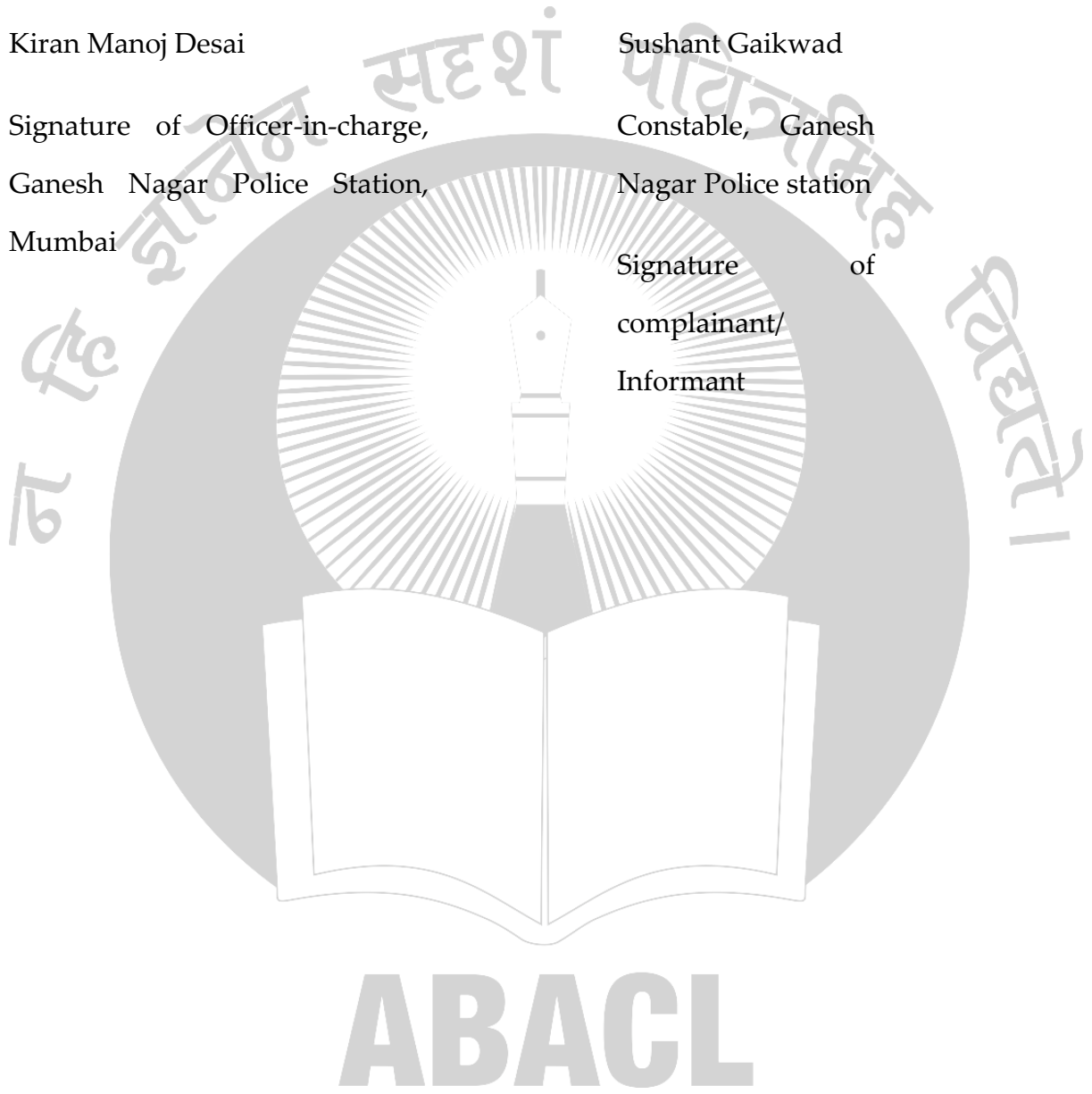


Exhibit B

CHARGE SHEET

Form 5 - A

FINAL INVESTIGATION REPORT

(UNDER SECTION 173 OF THE CODE OF CRIMINAL PROCEDURE)

IN THE COURT OF: Sessions Court, Mumbai.

1) District: Mumbai

Police Station: Ganesh Nagar

Year: 2019

CR No: 123/19

Date: 25.06.2019

2) Final report/ charge sheet number: 33/19

Date: 12.08.2019

Provision: S. 17, 21, 25, 27 NDPS Act

3) Date: 12.08.2019

4) Act: Narcotic Drugs and Psychotropic Substances Act, 1985

Sections: 17, 21(c), 25, 27

5) Type of Final form/ Report: Chargesheet

6) If chargesheeted, original or supplementary- Original

7) Name of the Investigating Officer/ Raiding Officer: Kiran Manoj Desai

Designation: Police Inspector, Ganesh Nagar Police station, Narcotics Cell, Mumbai

8) a) Name of Complainant/ Informant: Sushant Gaikwad, Constable, Ganesh Nagar
Police station, Narcotics Cell, Mumbai

b) Father's Name: Pralhad Gaikwad

9) Details of Property recovered/ seized during investigation and relied upon:

Sr. No.	Property description	Estimated Value	P.S. Property Register No.	From whom/ where recovered or seized	Disposal
1.	5gm brownish white Heroin powder	49,000/-	119/19	Dining table, Happy Villa	Deposited in Godown
2.	75gm brownish white Heroin powder in a packet	7,35,000/-	119/19	Dining table, Happy Villa	Deposited in Godown
3.	90gm brownish white Heroin powder in packet	8,82,000/-	119/19	Cupboard, in bedroom, Happy Villa	Deposited in Godown
4.	90gm brownish white Heroin powder in packet	8,82,000/-	119/19	Cupboard, in bedroom, Happy Villa	Deposited in Godown

10) Particulars of Accused persons charge sheeted:

(i) Name: Ms. Liela Romanoff (Maa Liela) Age: 35

(ii) Father's/Husband's Name: David Romanoff

(iii) Date/ Year of Birth: 1984

(iv) Sex : female

(v) Nationality: Indian

(vi) Passport No.: -----

(vii) Religion: -----

(viii) Whether SC/ST: no

(ix) Occupation: ----

(x) Address: Happy Villa, Redcross Road, Matunga, Mumbai – 415001

(xi) Provisional Criminal No. : -----

(xii) Regular criminal no.:-----

(xiii) Date of Arrest: 25/06/2019

(xiv) Date of release on bail: -----

(xv) Date on which forwarded to court: 26/06/2019

(xvi) Under Acts and Sections: Narcotic Drugs and Psychotropic Substances Act,

1985. Sections: 17, 21(c), 25

(xvii) Name of Bailer/Sureties and Address: -----

(xviii) Previous conviction with case reference: -----

(xix) Status of Accused: In Judicial custody

10) Particulars of Accused persons charge sheeted:

(i) Name: Mr. Kishu Rado Age: 40

(ii) Father's/Husband's Name: Jason Rado

(iii) Date/ Year of Birth: 1979

(iv) Sex : male

(v) Nationality: Indian

(vi) Passport No.: -----

(vii) Religion: -----

(viii) Whether SC/ST: no

(ix) Occupation: ----

(x) Address: Nirvana Asharam, M G Road, Juhu, Mumbai – 412300

(xi) Provisional Criminal No. : -----

(xii) Regular criminal no.:-----

(xiii) Date of Arrest: 25/06/2019

(xiv) Date of release on bail: -----

(xv) Date on which forwarded to court: 26/06/2019

(xvi) Under Acts and Sections: Narcotic Drugs and Psychotropic Substances Act,

1985. Sections: 17, 21(c), 27

(xvii) Name of Bailer/Sureties and Address: -----

(xviii) Previous conviction with case reference: -----

(xix) Status of Accused: In judicial custody

Form: 5 D

11. Particulars of witnesses to be examined:

Sr. No.	Name	Father's/ Husband's name	Date/ Year of birth	Occupation	Address	Type of evidence to be rendered
1.	Barty Junior	Mike Junior	23 yrs	Student	B/106, Rosewoods, L B S Road, Mahim, Mumbai	Approver
2.	Sushant Gaikwad	Pralhad Gaikwad	30 yrs	Police Constable	Room 2B, Flora Estate, Parel, Mumbai	Complainant
3.	Sita Raghuvanshi	Raghav Raghuvanshi	28 yrs	Teacher	51/c, Daffodils, SV Road, Matunga, Mumbai	Panch
4.	Shivam Tripathi	Hariprasad Tripathi	34 yrs	Social worker	1/609 Honeycomb residency, SV road, Matunga, Mumbai	Panch
5.	Pranjal Mishra	Dinesh Mishra	44 yrs	Asst. Chemical Analyser	55, Regency Heights, Char Rasta, Kalina, Mumbai	Chemical Analyser
6.	Kiran Desai	Manoj Desai	47 yrs	Police Inspector	601, Police Quarters, Worli, Mumbai	IO

12. Result of Laboratory Analysis:

The report of the Chemical Analyser has been annexed. The substance found in samples A1, B1, C1 and D1 was Diacetyl Morphine. There were traces of Diacetyl Morphine in Blood samples Y1 and Z1 and no such traces were found in X1.

Specifications of articles seized

Sr. no.	Sample No.	Description of Sample
1.	A	1gm brownish white powder collected in a transparent pouch, stapled and put in a brown envelope which was then sealed. (Bulk)
2.	A1	2gm brownish white powder collected in a transparent pouch, stapled and put in a brown envelope which was then sealed. (C.A. Sample)
3.	A2	2gm brownish white powder collected in a transparent pouch, stapled and put in a brown envelope which was then sealed. (Reserved Sample)
4.	B	65gm brownish white powder collected in a transparent pouch, stapled and put in a brown envelope which was then sealed. (Bulk)
5.	B1	5gm brownish white powder collected in a transparent pouch, stapled and put in a brown envelope which was then sealed. (C.A. Sample)
6.	B2	5gm brownish white powder collected in a transparent pouch, stapled and put in a brown envelope which was then sealed. (Reserved Sample)
7.	C	80gm brownish white powder collected in a transparent pouch, stapled and put in a brown envelope which was then sealed. (Bulk)
8.	C1	5gm brownish white powder collected in a transparent pouch, stapled and put in a brown envelope which was then sealed. (C.A. Sample)

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9.	C2	5gm brownish white powder collected in a transparent pouch, stapled and put in a brown envelope which was then sealed. (Reserved Sample)
10.	D	80gm brownish white powder collected in a transparent pouch, stapled and put in a brown envelope which was then sealed. (Bulk)
11.	D1	5gm brownish white powder collected in a transparent pouch, stapled and put in a brown envelope which was then sealed. (C.A. Sample)
12.	D2	5gm brownish white powder collected in a transparent pouch, stapled and put in a brown envelope which was then sealed. (Reserved Sample)
13.	X1	Vial containing blood sample of accused no.1. (C.A. Sample)
14.	X2	Vial containing blood sample of accused no.1. (Reserved Sample)
15.	Y1	Vial containing blood sample of accused no.2. (C.A. Sample)
16.	Y2	Vial containing blood sample of accused no.2. (Reserved Sample)
17.	Z1	Vial containing blood sample of accused no.3. (C.A. Sample)
18.	Z2	Vial containing blood sample of accused no.3. (Reserved Sample)

THE 7TH ANNUAL ADV. B. P. APTE MEMORIAL MOCK TRIAL, MOOT COURT & JUDGEMENT
WRITING COMPETITION, 2019.

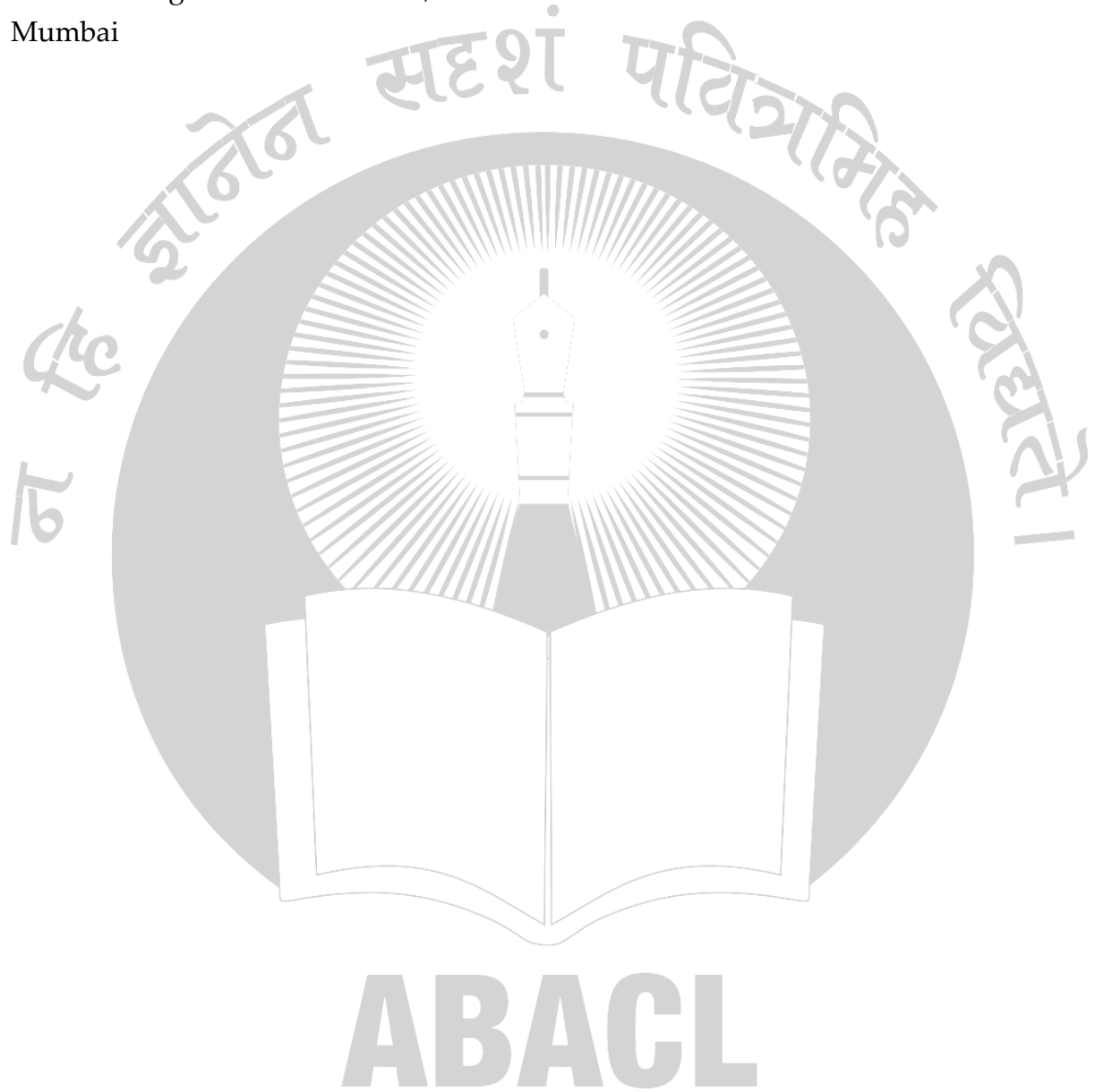
Sd/-

Kiran Manoj Desai

Signature of Officer-in-charge,
Ganesh Nagar Police Station,
Mumbai

Sd/-

Senior inspector, Ganesh
Nagar Police station



PRE TRAP PANCHNAMA

Names of Panchas:

- 1) Mrs. Sita Raghuvanshi
- 2) Mr. Shivam Tripathi

We, the above mentioned panchas were called by PI Kiran Desai. We were informed that certain illegal drug related activities were taking place at Happy Villa, the house of Maa Liela. We were explained the objective for carrying out the Panchnama and were requested to be panchas for the same. Upon the said request we agreed to act as panchas.

We received a call at about 9.00 am from the Ganesh Nagar Police Station and were called there. We reached the police station at 9:15 am. There, we were asked to check and examine the Police officers and the entire raiding unit to see if any of them carried any illegal items which could be planted at the crime scene to falsely incriminate a person.

On proper examination of the raiding unit we concluded that the officers did not possess any such items with them. Further, the pre trap panchanama was recorded and it concluded at around 9:45 am.

After recording the panchnama we proceeded to Happy Villa where the illicit activities were taking place for the further procedure.

SPOT PANCHNAMA

Names of Panchas:

- 1) Mrs. Sita Raghuvanshi
- 2) Mr. Shivam Tripathi

We, the abovementioned panchas, went to Happy Villa from the Ganesh Nagar Police Station with the Raiding Unit of the Anti Narcotics Cell of Ganesh Nagar Police Station. We reached there at around 10:15 am.

Following is the narration of the events that took place.

We reached the spot along with raiding unit which consisted of 4 officers i.e. Raiding officer PI. Kiran Desai, 2 male officers and 1 female officer. Then, we proceeded towards the house. The villa was one storied. It had a plain white colour and a wooden door. There was a garden outside with a few plants. The door did not have any name plate. PI Desai rang the door-bell. There was no response for about 2 to 4 minutes, after which PI Desai asked one of the officers to break into the house.

On entering the house, we saw two males and one female sitting on the floor, in the living room. On seeing us, they were extremely shocked. The female was dressed in a Saree. One of the males was dressed in a long white Kaftaan and the other was casually dressed. On being interrogated by the police, they told us their names and said that they were meditating in an attempt to attain *nirvana*.

The Police officer informed them about their rights, which included the right to choose the officer who would search them. They also had the right to check if the officer searching them had any illegal items on him. The physical search was conducted by the Raiding officer and some constables.

Further, they began to search the house. The search was conducted anti clock wise. On our right-hand side, there was a sofa and a small table in front of it. There were some books on the table. Some plastic bottles were lying on the floor.

There was a dining table in the left corner. On the dining table, a packet of brownish white powder was found which weighed approximately 75gm and thin lines of the powder were drawn on the table. The officers conducted a preliminary test of the powder using a 'Drug Detection Kit' which indicated that the substance was Diacetyl Morphine, commonly known as 'Heroin'.

The officers seized and sealed two samples of the powder, which was found lying on the dining table, each weighing 2gm, and named it as Sample A1 and A2 respectively. The remaining powder was seized and sealed naming it Sample A. They collected the powder found in the packet on the dining table in a similar manner. They named the two samples weighing 5gm each as Sample B1 and B2. They also collected the remaining powder from the packet and named it as Sample B, which weighed 65gm.

Opposite the main door, there was a passage which led to the kitchen. The kitchen walls were yellow and it was relatively clean. There was only 1 cupboard which had some utensils. The stove was off and there were no vessels on the stove. There was a sink on the right-hand side of the stove which had some used mugs in it. Next to the sofa, there was a passage which further led to a flight of stairs, which led us to the first floor of the house. There was only one bedroom whose door was open and there was a huge balcony on the left side of the stairs. The bedroom walls were also white. There was a cupboard on the right side of the door and a mattress on the floor along with a photo frame of Kishu under the window which was opposite the door. One of the officers opened the cupboard and saw some clothes, jewellery, and a brief case.

On opening the brief case, they discovered 2 packets of a brownish white coloured substance which weighed 90 gm each. The officers collected two samples from one of the packets, each weighing 5gm of the brownish white powder and named it as Sample C1 and C2 respectively. The remaining was collected and named Sample C, weighing 80 gm. They collected the same from the other packet and named it as Sample D1 and D2 and the remaining as Sample D which weighed 80 gm. All the samples were collected in transparent polythene bags which were stapled and put in a brown envelope, which was sealed.

Further, they arrested the trio and took them to the Government Hospital, Parel, where their blood samples were taken in duplicate. They were marked as follows:

Accused no. 1- X1, X2

Accused no. 2- Y1, Y2

Accused no. 3- Z1, Z2.

Sd/-

Kiran Manoj Desai

Sd/-

Panch 1

Sd/-

Panch 2

ABACL

ARREST MEMO

FORM – IF3 - (Integrated Form)

ARREST / COURT SURRENDER MEMO

(Separate Memo for each accused)

-Dist. Mumbai : P.S. Ganesh Nagar Police Station, Parel.

Year 2019, FIR No. / Proceeding No. 123/2019, Date. 25.06.2019

Alphanumeric code of the Accused A1 (Write A1 to A9 for the first 9 persons, B1 for 10th persona and so on)

-Date & Time of Arrest / Surrender: Date 25/06/2019, Time. 10.30 p.m. to 11.30 p.m.

-Name of the Court (if surrendered): N.A.

-Acts and Sections: Narcotic Drugs and Psychotropic Substances Act, 1985. Sections: 17, 21(c), 25

-Arrested and sent up / Arrested and released on bail / Surrendered in court and bailed out / Surrendered in court and sent to judicial custody / Surrendered in court and remanded to Police custody (tick the applicable portion).

-Particulars of the Accused:

· (i). *Name: **Ms. Liela Romanoff** (Maa Liela) Age: 35

· (ii). *Father's / Husband's Name: David Romanoff

· (iv). *Nationality: Indian

· (v) (a) *Passport No. N.A.

(b)Date of Issue: -----

(c) Place of Issue: -----

(vi)Religion: -----

(x)SC/ST: Nil

(xi)Occupation: -----

(xii)Permanent address: Happy Villa, Redcross Road, Matunga, Mumbai – 415001

(xiii)Present Address: Same as above.

-The accused, after being informed of the grounds of arrest and his legal rights, was duly taken into custody on 25/06/2019 at 11.35 p.m. to 12.00 p.m. at Parel.

- The following article(s) was / were found on physical search, conducted on the person of the accused, and were taken into possession for which a receipt was given to the accused.

- Necessary wearing apparels were left on the accused for the sake of human dignity and body protection.

- The accused was cautioned to keep himself / herself covered for purpose of identification.

- Intimation given to Ms. Sara Singh (friend of the accused)

- Physical features, deformities and other details of the accused:

Sex	Date of birth/ year	Build	Height (in ft.)	Complexion	Identification mark
1	2	3	4	5	6
Female	1984	Healthy	5.6 ft	Fair	-
Language/ dialect	Place of				
8	9	10	11	12	
7	Burn/ mark	Leucoderma	Mole	Scar	Tattoo
Hindi	Nil	Nil	Nil	Nil	On the neck

-Whether finger-print taken or not? : Yes

-Socio-economic profile of the accused showing:

a. Living Status: **Living** alone or with Family / Relation (wife)/ Associate in **Pucca House** / Hotel / Hostel / Kachcha House / Thatched House / Slum or is homeless.

b. *Educational qualification(s): HSC (12th) Pass.

c. *Occupation: -----

d. *Income Group:

- (i). Lower Income (Below Rs. 500/P.M.)
- (ii). Lower middle Income (From Rs. 501 to Rs. 1000)
- (iii). Middle Income (From Rs. 1001 to Rs. 2000)
- (iv). **Upper Middle Income** (From Rs. 2001 to 3000)
- (v). Upper Income (above Rs. 3000)

-Whether the accused person, as per the observations and known Police records:

- Is dangerous Yes/No

-Previously escaped any bail Yes/No

-Is generally armed Yes/No

-Operates with accomplices Yes/No

-Has past criminal records Yes/No

-Is recidivist Yes/No

-Is likely to escape bail Yes/No

-If released on bail, is likely to commit another crime immediately or threaten the victims / witnesses. Yes/No

-Is wanted in any other case Yes/No

Sd/-

PI Kiran Rane

(Investigating Officer)

Sd/-

Sita Raghuvanshi

(Attested by Panch)

Sd/-

Liela Romanoff

(Accused)

ARREST MEMO

FORM – IF3 - (Integrated Form)

ARREST / COURT SURRENDER MEMO

(Separate Memo for each accused)

-Dist. Mumbai : P.S. Ganesh Nagar Police Station, Parel. Year 2019, FIR No. /
Proceeding No. 123/2019, Date. 25.06.2019

Alphanumeric code of the Accused A2 (Write A1 to A9 for the first 9 persons, B1 for
10th persona and so on)

-Date & Time of Arrest / Surrender: Date 25.06.2019, Time. 11.35 p.m. to 12.00 p.m.

-Name of the Court (if surrendered): N.A.

-Acts and Sections: Narcotic Drugs and Psychotropic Substances Act, 1985. Sections:
17, 21(c), 25

-Arrested and sent up / Arrested and released on bail / Surrendered in court and
bailed out / Surrendered in court and sent to judicial custody / Surrendered in court
and remanded to Police custody (tick the applicable portion).

-Particulars of the Accused:

· (i). *Name: **Mr. Kishu Rado** Age: 40

· (ii). *Father's / Husband's Name: Jason Rado

· (iv). *Nationality: Indian

· (v) (a) *Passport No. N.A.

(b)Date of Issue: -----

(c) Place of Issue: -----

(vi) Religion: -----

(x)SC/ST: Nil

(xi)Occupation: -----

(xii)Permanent address: Nirvana Asharam, M G Road, Juhu, Mumbai – 412300

(xiii)Present Address: Same as above.

-The accused, after being informed of the grounds of arrest and his legal rights, was duly taken into custody on 25/06/2019 at 11.35 p.m. to 12.00 p.m. at Parel.

- The following article(s) was / were found on physical search, conducted on the person of the accused, and were taken into possession for which a receipt was given to the accused.

1. Wallet containing Rs. 2100.

2. White handkerchief

- Necessary wearing apparels were left on the accused for the sake of human dignity and body protection.

- The accused was cautioned to keep himself / herself covered for purpose of identification.

- Intimation given to Ms. Sara Singh (friend of the accused)

- Physical features, deformities and other details of the accused:

Sex	Date of birth/ year	Build	Height (in ft.)	Complexion	Identification mark
1	2	3	4	5	6
Male	1979	Healthy	6 ft	fair	Brown hair
Language/ dialect	Place of				
	8	9	10	11	12
7	Burn/ mark	Leucoderma	Mole	Scar	Tattoo
Hindi	Nil	Nil	Nil	Nil	On the right hand

-Whether finger-print taken or not? : Yes

-Socio-economic profile of the accused showing:

a. Living Status: **Living** alone or with Family / Relation (wife)/ Associate in **Pucca House** / Hotel / Hostel / Kachcha House / Thatched House / Slum or is homeless.

b. *Educational qualification(s): HSC (12th) Pass.

c. *Occupation: -----

d. *Income Group:

(i). Lower Income (Below Rs. 500/P.M.)

(ii). Lower middle Income (From Rs. 501 to Rs. 1000)

(iii). Middle Income (From Rs. 1001 to Rs. 2000)

(iv). **Upper Middle Income** (From Rs. 2001 to 3000)

(v). Upper Income (above Rs. 3000)

-Whether the accused person, as per the observations and known Police records:

- Is dangerous Yes/**No**

-Previously escaped any bail Yes/**No**

-Is generally armed Yes/**No**

-Operates with accomplices **Yes/No**

-Has past criminal records Yes/**No**

-Is recidivist Yes/**No**

-Is likely to escape bail Yes/**No**

-If released on bail, is likely to commit another crime immediately or threaten the victims / witnesses. **Yes/No**

-Is wanted in any other case Yes/**No**

Sd/-

PI Kiran Rane

(Investigating Officer)

Sd/-

Sita Raghuwanshi

(Attested by Panch)

Sd/-

Kishu Rado

(Accused)

ARREST MEMO

FORM – IF3 - (Integrated Form)

ARREST / COURT SURRENDER MEMO

(Separate Memo for each accused)

-Dist. Mumbai : P.S. Ganesh Nagar Police Station, Parel. Year 2019, FIR No. /
Proceeding No. 123/2019, Date. 25.06.2019

Alphanumeric code of the Accused A3 (Write A1 to A9 for the first 9 persons, B1 for
10th persona and so on)

-Date & Time of Arrest / Surrender: Date 25.06.2019, Time. 11.35 p.m. to 12.00 p.m.

-Name of the Court (if surrendered): N.A.

-Acts and Sections: Narcotic Drugs and Psychotropic Substances Act, 1985. Sections:
17, 21(c), 25

-Arrested and sent up / Arrested and released on bail / Surrendered in court and
bailed out / Surrendered in court and sent to judicial custody / Surrendered in court
and remanded to Police custody (tick the applicable portion).

-Particulars of the Accused:

· (i). *Name: **Mr. Barty Junior** Age: 22

· (ii). *Father's / Husband's Name: Mike Junior

· (iv). *Nationality: Indian

· (v) (a) *Passport No. N.A.

(b) Date of Issue: -----

(c) Place of Issue: -----

(vi) Religion: -----

(x) SC/ST: Nil

(xi) Occupation: -----

(xii)Permanent address: B/106, Rosewoods, L B S Road, Mahim, Mumbai

(xiii)Present Address: Same as above.

-The accused, after being informed of the grounds of arrest and his legal rights, was duly taken into custody on 25/06/2019 at 11.35 p.m. to 12.00 p.m. at Parel.

- The following article(s) was / were found on physical search, conducted on the person of the accused, and were taken into possession for which a receipt was given to the accused.

1. Wallet containing Rs. 560.

2. White handkerchief

3. College ID Card

- Necessary wearing apparels were left on the accused for the sake of human dignity and body protection.

- The accused was cautioned to keep himself / herself covered for purpose of identification.

- Intimation given to Ms. Sara Singh (friend of the accused)

- Physical features, deformities and other details of the accused:

Sex	Date of birth/ year	Build	Height (in ft.)	Complexion	Identification mark
1	2	3	4	5	6
Male	1979	Healthy	5.9 ft	Dusk	Nil
Language/ dialect	Place of				
7	8	9	10	11	12
	Burn/ mark	Leucoder ma	Mole	Scar	Tattoo
Hindi	On left hand wrist	Nil	Nil	Nil	Nil

-Whether finger-print taken or not? : Yes

-Socio-economic profile of the accused showing:

a. Living Status: **Living** alone or **with Family** / Relation (wife)/ Associate in **Pucca House** / Hotel / Hostel / Kachcha House / Thatched House / Slum or is homeless.

b. *Educational qualification(s): HSC (12th) Pass.

c. *Occupation: -----

d. *Income Group:

(i). Lower Income (Below Rs. 500/P.M.)

(ii). Lower middle Income (From Rs. 501 to Rs. 1000)

(iii). Middle Income (From Rs. 1001 to Rs. 2000)

(iv). Upper Middle Income (From Rs. 2001 to 3000)

(v). **Upper Income** (above Rs. 3000)

-Whether the accused person, as per the observations and known Police records:

-Is dangerous Yes/**No**

-Previously escaped any bail Yes/**No**

-Is generally armed Yes/**No**

-Operates with accomplices **Yes/No**

-Has past criminal records Yes/**No**

-Is recidivist Yes/**No**

-Is likely to escape bail Yes/**No**

-If released on bail, is likely to commit another crime immediately or threaten the victims / witnesses. **Yes/No**

-Is wanted in any other case Yes/**No**

Sd/-

PI Kiran Rane

(Investigating Officer)

Sd/-

Sita Raghuwanshi

(Attested by Panch)

Sd/-

Barty Junior

(Accused)

STATEMENT OF COMPLAINANT

Mr. Sushant Gaikwad,

Constable, Ganesh Nagar police station.

On 23rd June 2019, I was present at the police station, when I received a phone call at around 07:30 pm. The person calling said that they have some information regarding certain illegal drug activities taking place at a house nearby. But they insisted that their name should not be revealed. I considered this as an 'anonymous tip' and asked the caller for more information.

The caller further informed me that a few people gather and commit offences relating to drugs at the residence of one, Maa Leila. The caller also told me that there was another meeting in the next couple of days. After receiving the information, I took it down in writing and informed my superior PI Kiran Desai about the same.



ABACL

CHEMICAL ANALYSIS REPORT

DIRECTORATE OF FORENSIC SCIENCE LABORATORIES

SANTACRUZ, MUMBAI

Examination report

To,

The Senior Police Inspector

Anti Narcotics Cell,

Mumbai.

- 1) Ref. no. : 165/19 Date: 26.11.19
2) No. of exhibit received: seven P.S.: Anti Narcotics Cell, Mumbai
3) C.R. No.: 123/19 u/s:-17,21(c),25,27 NDPS Act
4) Mode of receipt: per W.P.C. No. 474 Date of receipt: 26.11.19

5) Conditions of parcel(s)/seal(s):

Seven sealed parcels, seal intact and as per copy sent.

6) Description of articles contained in parcel:

Exhibit nos. 1, 2, 3 and 4- brownish white coloured powder in 4 stapled polythene bags, packed separately in packets, marked A1, B1, C1 and D1 respectively and labeled as, "Anti Narcotics Cell, ATS, Mumbai", along with other details of the case.

Exhibit nos. 5, 6 and 7- Blood samples of accused no. 1, 2 and 3 collected in vials, packed separately in packets, marked X1, Y1 and Z1 respectively and labeled as, "Anti Narcotics Cell, ATS, Mumbai", along with other details of the case.

Observations:

Ref. Stds	Morphine	Mono acetyl morphine	Heroin	Caffeine	Papaverine	Narcotine	Methaqualine
Rf values for Ref. Std.	0.11	0.17	0.29	0.32	0.44	0.58	0.71
Rf values for Exhibits.	0.11	neg	0.29	0.32	0.44	0.58	Neg

13. UV Spectrophotometric Results:

10.07.2019

1) Instrument used (Make and Model): Specord S100B

2) UV in 0.1N HCl, λ_{max} at: 279.2 nm

14. Gas Liquid Chromatography (GLC) Results:

05.08.2019

1) Instrument used (Make and Model) : Nucon 5765

2) Conditions:

i) Column: HP-17

ii) Carrier gas flow rate: 30 ml/min

iii) Oven Temperature: 260° C

iv) Detector Temp: 280° C

v) Injector Temp: 280° C

vi) Detector: FID

3) Observations:

Ref. Std.	Heroin
RT of Ref Std.	7.04 min
RT of Exhibits.	7.04 min

Result of Analysis

- The substance which was found in all four exhibits A1, B1, C1 and D1 was identified as Diacetyl Morphine commonly known as 'Heroin'
- Exhibits A1, B1, C1 and D1 fall under section 2(xvi)(e) of the NDPS Act.

Analysis started on: 26.06.2019

Analysed by: Pranjal Mishra

Analysis ended on: 10.08.2019

Designation: Asst. Chemical Analyser

Sd/-

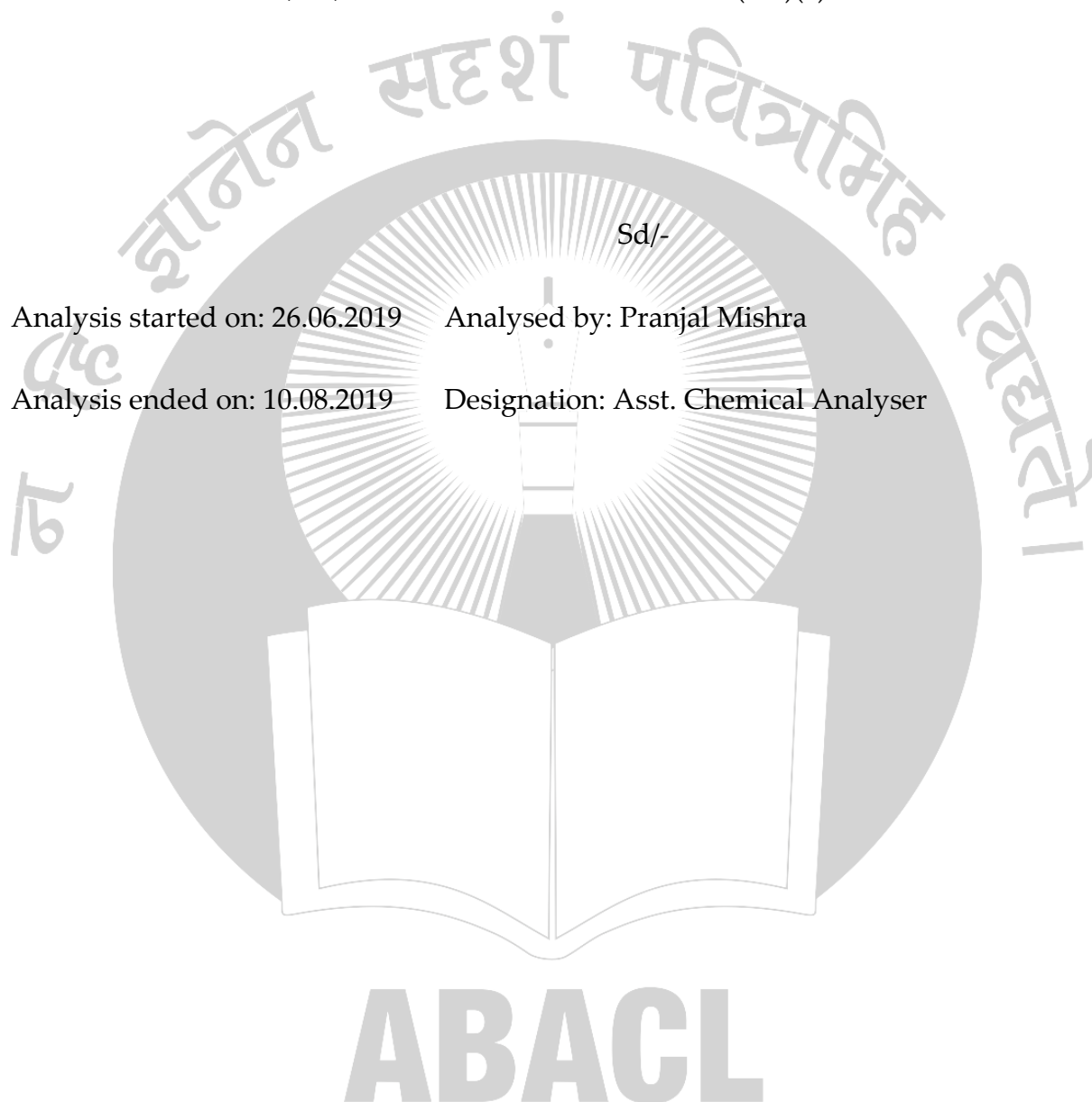


Exhibit I

DIRECTORATE OF FORENSIC SCIENCE LABORATORIES, MUMBAI

NARCOTICS DIVISION

REPORT OF BLOOD SAMPLES

M.L.Case No. : N-321/19 C.R.No. : 123/19 Police Station: Anti Narcotics Cell, Mumbai

Datasheet for Exhibit Nos X1, Y1 and Z1.

- Traces of Diacetyl Morphine, commonly known as 'Heroin' were found in Exhibits Y1 and Z1.
- No such traces were found in Exhibit X1.

Sd/-

Analysis started on: 26.06.2019

Analysed by: Pranjal Mishra

Analysis ended on: 10.08.2019

Designation: Asst. Chemical Analyser

ABACL