



ITEM NO.7

COURT NO.5

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) No.18769/2026

[Arising out of impugned final judgment and order dated 07-09-2026 in IA No. 10929/2026 passed by the High Court of Jharkhand at Ranchi]

ABHISHEK KUMAR @ AVASHEK KUMAR

Petitioner(s)

VERSUS

THE UNION OF INDIA

Respondent(s)

IA No. 302705/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 12-10-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :Mr. Randhir Kumar Ojha - 2686, AOR
Mr. Jalaj Panwar, Adv.

For Respondent(s) :Mr. Anil Kaushik, A.S.G.
Ms. Astha Singh, Adv.
Mr. Pranjal Singh, Adv.
Mr. Ishaan Sharma, Adv.
Mr. Amrish Kumar- 2986, AOR
Dr. Arun Kumar Yadav, Adv.

Signature Not Verified
Digitally signed by
CHANDRESH
Date: 2026.10.13
16:33:17 IST
Reason:

UPON hearing the counsel, the Court made the following

O R D E R

1. The petitioner has been convicted under Sections 20(b) (ii)(c), 25, and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short "the NDPS Act"), and was sentenced to undergo rigorous imprisonment for a period of twelve years and was imposed a fine of Rs.1,00,000/- (Rupees One Lakh Only) by the Trial Court in connection with NCB Case No.03/NCB/Ranchi/2022 registered at Police Station NCB Ranchi, Jharkhand. The Petitioner has preferred an appeal against the order of conviction before the High Court; citing irregularities in the sampling of the contraband, absence of independent witnesses etc. The appeal is pending before the High Court.

2. The petitioner, aged 28 was the driver of a truck which was intercepted by the NCB Team, along with the co-accused helper. From the truck, 204 Kgs of Ganja was recovered during search. The petitioner has been in judicial custody for over four years and four months since 19.05.2022.

3. The learned Counsel for the Petitioner submitted that the Petitioner was merely a truck driver and had no

ownership over the truck, and that he had no conscious possession of the contraband. It was further submitted that this court had earlier suspended the sentence of the co-accused, helper who was present in the truck along with the Petitioner when the truck was intercepted. It is also submitted that on investigation, the person who was responsible for the transportation of ganja was also identified and arraigned in the case, and that he has also been granted bail.

4. On a *prima facie* consideration, we suspend the sentence of the petitioner.

5. The Petitioner shall be released on bail on such conditions as the trial court may deem fit to impose, till the disposal of the appeal before the High Court.

6. The Special Leave Petition is disposed of.

7. Pending application(s), if any, shall also stand disposed of.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)