

NDPS Act, S. 67 – Submission that statements recorded before the Enforcement Directorate which form the basis of the Status report, which in turn forms the edifice of the FIR are inadmissible in evidence in view of [Tofan Singh v. State of Tamil Nadu, 2020 PLRonline 5010](#), Argument does not hold merit as the apex court in *Tofan Singh's* case has held that a statement recorded under Section 67 of the NDPS Act cannot be used in the trial of an offence under the NDPS Act – Argument is *prima facie* not applicable in the present case in view of Section 50(4) of the PML Act, 2002 wherein it is provided that every proceeding under sub-sections 2 and 3 of Section 50 of the Act shall be deemed to be a judicial proceeding within the meaning of Sections 193 and 228 of the Indian Penal Code

read **HERE** [2021 PLRonline 0092](#)

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