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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010185652026

+ **BAIL APPLN. 1654/2026**

VINAY KUMAR PANDEY

.....Applicant

Through: Mr. R. Venkat Raman and Mr. Sher Khan, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Meenakshi Dahiya, APP for the State with Mr. Bhanu Pratap Singh, Adv. alongwith SI Rockuy Katingal, Special Cell

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **05.08.2026**

1. By virtue of the present application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the applicant seeks grant of regular bail in FIR No. 140/2025 dated 28.04.2025 registered at PS: Special Cell, Delhi under *Sections 21/29* of the Narcotic Drugs and Psychotropic Substances Act, 1985 (**NDPS Act**).
2. *Briefly put*, based on a secret information received on 27.04.2025, a raiding team reached the spot and apprehended the co-accused and the applicant after due compliance under the NDPS Act, whereby, the applicant was found with *343 grams* of Amphetamine (**contraband**) from the bag which he was carrying.



3. During investigation, the applicant disclosed that he, through the help of the co-accused persons, intended to tap into the Delhi drug cartel for which he had come in contact with various drug peddler(s) and distributor(s), (few of whom are involved in the present FIR), for selling the contraband in Delhi. In fact, during further investigation a digital weighing scale was found from the car of the applicant and later it was revealed that there were Call Detail Recordings (CDRs) *inter-se* the applicant and the co-accused persons.

4. In the proceedings before the learned Trial Court, the charge-sheet has since been filed and the matter is currently at the stage of framing of charges.

5. It is under these facts and circumstances that this Court has heard the learned counsel for the applicant as also learned APP and has perused the documents on record.

6. Materials on record disclose that an independent recovery of 343 grams of contraband was made at the instance of applicant as also *admittedly* there are CDRs *inter-se* the applicant and the co-accused persons. In fact, a digital weighing scale (which is commonly used to weigh and sell contraband) was recovered from his own car.

7. Though the issue of non-compliance under *Section 42(1)* of the NDPS is sought to be raised by learned counsel for applicant, primarily, since as per him, no proper permission was taken, however, a perusal of the charge-sheet reveals that I.O. had not only recorded the secret information in writing but he had taken the necessary permission from the ACP, PS.: Special Cell in order to conduct the raid. Regarding the issue of non-production of any independent witness(es), neither is the same a sole



ground for granting bail to the applicant nor the same carries much weight in light of the *prima facie* incriminating evidence against the applicant.

8. Moreover, the applicant has been involved in previous 'four' FIRs, whereby one of them was registered under the NDPS Act at PS.: Sujanganj, Jaunpur, U.P.

9. Under these circumstances, there is a high possibility of the applicant committing offences of a similar nature and/ or tamper with the evidence and/ or influence the witnesses of the present case, if released on bail.

10. *Ergo*, the present application seeking regular bail is dismissed.

11. Needless to say, expression of view(s) on the merits, if any, are solely for the purposes of adjudication of the present application and shall have no bearing on the overall case/ trial involved.

SAURABH BANERJEE, J.

AUGUST 05, 2026/rr