



2026:DHC:7105



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

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Date of Decision: 24.08.2026# **CNR No. DLHC010308252026**+ **BAIL APPLN. 2746/2026****BEAUTY**

.....Petitioner

Through: Mr. Jitendra Sethi, Sr. Advocate with
Mr. Hemant Gulati, Mr. Keshav
Sethi, Mr. Shobit Dimri, Mr. Divyam
Gaur and Mr. Hemender, Advocates.

versus

STATE, NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State
with IO/SI Rohit.

CORAM: JUSTICE GIRISH KATHPALIA**J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 69/2024 of Police Station Crime Branch for offence under 21/ 25/29 of NDPS Act.
2. Learned APP assisted by IO/SI Rohit accepts notice and submits that the bail application can be disposed of today itself. As such, I have heard learned Senior Counsel for accused/applicant and learned APP for State.

*BAIL APPLN. 2746/2026**Page 1 of 4 pages*

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of conspiracy alleged against him has to be examined. The conspiracy is alleged against the accused/applicant on the basis of his alleged telephonic connectivity with co-accused Tasleema. But admittedly, in the name of telephonic connectivity, the only material on investigation record is the call logs of two telephones. There was no call interception in order to ascertain as to what was being spoken between the said two persons, and in the absence thereof, the connectivity *simplicitor* cannot be read as incriminating evidence. Most importantly, in the present case, the IO clarifies that the telephone allegedly used by the accused/applicant was not in his name but in the name of son of co-accused Tasleema. So *prima facie* even connectivity argument fails. However, I must add a cautious rider that these observations are only dealing with the arguments advanced; but at the stage of final arguments, the learned trial court shall take an independent view.

7. Then comes the argument of maintainability, as raised by learned APP for State. Of course, vide order dated 19.03.2026 of this Court, the accused/applicant was allowed to withdraw the earlier bail application but that was with liberty to file afresh before the trial court after examination of the witnesses of the alleged recovery of contraband. But in this regard, learned Senior Counsel submits that till date even charge has not been framed by the trial court. I find force in the submission of learned Senior Counsel for accused/applicant that in the overall circumstances described above, keeping the accused/applicant in jail only for the reason that the earlier bail application had been withdrawn with liberty, would not be fair at



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all.

8. Considering the above circumstances, I do not find any reason to deprive further liberty to the accused/applicant.

9. Therefore, the bail application is allowed and accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the trial court/duty magistrate.

10. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

**GIRISH
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(JUDGE)**

AUGUST 24, 2026/ry