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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 55/2024, CRL.M.A. 373/2024**

BHAWNA

..... Petitioner

Through: Mr. Rahul Sharma, Mr. Deepak Ghai,
Mrs. Kamini Ghai, Mr. Gaurav
Raghuwanshi, Mr. Jankee Ballabh
Pandey, Mr. Anupam Mahajan, Mr.
Jiwan Pal Singh and Mr. Shantanu
Bharti, Advocates.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Aashmeet Singh, APP for State
with ASI Sandeep Kumar, ANTF,
Crime Branch.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

03.04.2024

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1. The present bail application has been filed by the applicant under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 273/2023 registered under Sections 21/29 of the NDPS Act at P.S. Crime Branch.
2. Learned counsel for the applicant states that as per the prosecution case, a recovery of 310 grams heroin has been made from co-accused Sapna. It is contended that in the present case, there is no recovery from the applicant and, in fact, there is no CDR connectivity with the main accused. He further states that the case is also belied by the fact that though the case was registered on 15.11.2023 however, the present applicant was busy in her own marriage functions which started from 16.11.2023 till 19.11.2023.
3. Ms. Singh, learned APP for the State, on the other hand, has opposed



the bail application by contending that the applicant is also previously involved in another FIR No. 276/2021 registered under Sections 21/29 of the NDPS Act at P.S. Sector 39, Chandigarh, Haryana. He further contends that though the applicant has joined the investigation however she has not handed over her previous SIM card.

4. At this stage, learned counsel for the applicant states that applicant is already on bail in the aforesaid FIR and the earlier SIM card was not handed over by her as she lost the same. He however, submits that the applicant had handed over two mobile phones, however the same were not seized by the police.

5. I have heard the learned counsels for the parties and also gone through the material placed on record.

6. Considering that no recovery has been effected at the instance of present applicant and the present applicant has been arrayed as an accused on account of disclosure statement and the further fact that there is no CDR connectivity, it is directed that in the event of arrest, the applicant be released on bail subject to her furnishing a personal bond in the sum of ₹25,000/- with one surety of like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned police station and also subject to the following further conditions:-

- (i) At the time of furnishing bail bond, the applicant shall provide her mobile number, which she undertakes to keep operational at all times during the pendency of the trial.
- (ii) The applicant shall join the investigation as and when she is summoned.
- (iii) The applicant shall inform the concerned Investigating Officer about



her current residential address.

(iv) In case of change of residential address/contact detail, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.

(v) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.

(vi) The applicant shall regularly appear before the trial Court as and when the charge sheet is filed.

7. Bail application is disposed of in the above terms alongwith miscellaneous application.

MANOJ KUMAR OHRI, J

APRIL 3, 2024

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