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

+ **BAIL APPLN. 1920/2022**

JAVED

.....Petitioner

Through: Mr. Pritish Sabharwal, Mr. Shashank
Shekhar & Mr. Sanjeet Kumar, Advs.

versus

STATE

.....Respondent

Through: Mr. Aman Usman, APP for the State
SI Kartar Singh, Narcotic Cell

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

09.07.2024

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1. This petition is filed seeking anticipatory bail in FIR No.680/2021, registered at PS Bhalaswa Dairy, under Section 21 NDPS Act.
2. The Court had issued notice and granted interim protection to the petitioner on 24th June 2022. Counsel for petitioner states that petitioner joined and cooperated in the investigation ever since and has responded to the summons by the IO.
3. APP for the State, however, states that petitioner is misleading the IO and points out to status report which has certain contradictions in what petitioner has stated. There is also another case against the petitioner in FIR No. 72/2021 under Sections 21/25 NDPS Act, in which petitioner has been granted bail on 27th September 2022.
4. As per the status report, the evidence against the petitioner is of CDR records, which shows constant connectivity with main accused, Yunus. It is an admitted position that there is no seizure from the current petitioner and he was arrayed as an accused merely on disclosure by the main accused.



5. Petitioner had stated before the Trial Court that he is not resident of Delhi and resides in Pilibhit, U.P. and he is named by Yunus, as they both reside in the same village.
6. Undertaking of petitioner is recorded that he shall continue to join and cooperate in the investigation. In these facts and circumstances, he is entitled to anticipatory bail.
7. Consequently, in the event of arrest, the petitioner be released on bail on furnishing a personal bond in the sum of Rs. 25, 000/- with one surety of the like amount subject to the satisfaction of the arresting officer/IO/SHO concerned, further subject to the condition that the petitioner will join investigation as and when directed, and not influence any witness/complainant/victim or tamper with evidence of the case.
8. Anticipatory bail is granted considering that petitioner was granted interim protection for two years and had been joining and cooperating in investigation regularly. This order be not treated as precedent in any other case.
9. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 9, 2024/sm