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

+ **BAIL APPLN. 1670/2024**

VIKRAMJIT SINGH

..... Petitioner

Through: Mr. Colin Gonsalves, Senior
Advocate with Ms. Mugdha and Mr.
Kamran Khwaja, Advocates.

versus

NARCOTICS CONTROL BUREAU

..... Respondent

Through: Mr. Arun Khatri, Senior Standing
Counsel for NCB with Mr. Akshay,
Mr. Nishant Hooda and Mr. Sahil
Khurana, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

15.05.2024

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1. The present application under Section 439 read with Section 436A of the Cr.P.C. seeks interim bail in Crime No. VIII/01/DZU/2024 under Sections 8(c)/9A/22/23/25A/27A/28/29/30 of the NDPS Act for a period of 2 months to enable him to take care of his ailing and old mother who has undergone a Lumbar Decompression surgery on 31.03.2024.

2. The present applicant was granted interim bail for a period of 5 days *vide* order dated 28.03.2024 by learned Special Judge, NDPS, New Delhi, on the ground that his mother was suffering from lower back pain and numbness in her legs and the doctor had advised surgery for the same which was scheduled for 31.03.2024. In the said circumstances, the present applicant was granted bail for a period of 5 days. The applicant thereafter, moved another application seeking interim bail on the ground that his



mother has been advised to take bed rest and therefore, he needs to take care of her for which the said relief was sought. The learned Special Judge *vide* order dated 02.05.2024 while dismissing the said application has observed as under:-

“The accused has sought interim bail on the ground to assist his mother during follow up after surgery. The accused was granted interim bail during surgery of his mother but now accused wants himself to be out of jail on each and every follow up and that too when the family of accused has domestic help, driver and attendant provided by the govt as father of accused is retired High Court Judge. Accordingly, in the above-mentioned facts and circumstances when sufficient manpower is available with the family of accused to accompany mother during follow up beside father and brother of accused, therefore, no ground is made out for grant of interim bail and interim bail application of accused Vikramjit Singh is dismissed and disposed of accordingly.”

3. Learned Senior Counsel appearing on behalf of the applicant draws the attention of this Court to two documents dated 22.04.2024 and 06.05.2024 from Vasal Hospital Pvt. Ltd., Multi Speciality Hospital, Jalandhar, Punjab, and submits that the mother of the applicant had two falls after the surgery. It is submitted that the said prescription also suggests that the applicant's mother has been advised bed rest for 4 weeks to avoid any fall and therefore, the applicant needs to be with his mother in order to take care of her and her daily needs.

4. Status report has been handed up in Court today and the same is taken on record.

5. *Per contra*, learned SPP for the NCB submits that the present applicant has been arrested on 26.02.2024. As per the status report the applicant was arrested in the present case involving following recoveries:-

“1. 2.946 KG substance suspected to be Amphetamine,
From Parcel Airway Bill No 5115949005,



At DHL Express Pvt. Ltd., 71/3, Rama Rd, New Delhi on 17.01.2024.

2. 12.160 KG substance suspected to be Amphetamine
At B-3/317 Sunrise Apartment, Sector-13, Plot no.37, Rohini, New Delhi
on 22.01.2024.

3. 05 Kgs of substance suspected to be Pseudoephedrine
At Vishwakarma Mechanical works, Village- Bulara, Behind palm
Enclave, Bulara-Sangawal Rd, Ludhiana, Punjab on 29.01.2024

4. 09 grams of substance suspected to be Amphetamine & 04 Kgs of
substance suspected to be Pseudoephedrine, Other substances/ chemicals/
raw materials and equipments/articles At Godown of Satnam Singh alias
Raju C/ Ranti Singh, Behind Mcdonald, MelarKotlaMarg, Gill by pass
Rd, Gill, Ludhiana, Punjab on 30.01.2024”

6. Learned SPP for NCB further submits that the investigation is still going on and is at a very crucial stage. It is further pointed out that the aforesaid medical document dated 22.04.2024 relied upon by learned Senior Counsel for the applicant, in fact, shows “no history of any recent fall after surgery.” It is further pointed out that the prescriptions advised, as per aforesaid medical documents, is bed rest for 4 weeks. Learned SPP further submits that the learned Special Judge *vide* order dated 02.05.2024 has correctly observed that the family of the applicant is well-equipped and has enough persons to take care of the applicant’s mother.

7. Heard learned counsel for the parties and perused the record.

8. The documents relied upon by the learned Senior Counsel for the applicant dated 22.04.2024 and 06.05.2024 reflects that the treatment advised to the applicant’s mother is bed rest and hot fermentation of back as per requirement and as per these documents, there is no urgency for which the applicant needs to be released on interim bail. It is pertinent to note that the investigation in the present case involves huge recoveries and the same



is still going on. The applicant's family is well-equipped to take care of the applicant's mother as per aforesaid treatment advised by the doctors.

9. In view of the above, the present application is dismissed and disposed of accordingly.

10. Pending application(s), if any, also stand disposed of.

11. Order be uploaded on the website of this Court, *forthwith*.

12. Copy of the order be sent to the concerned Jail Superintendent for necessary information and compliance.

AMIT SHARMA, J

MAY 15, 2024/sn

Click here to check corrigendum, if any