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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1834/2024**

ABID KHAN

.....Petitioner

Through: Mr. Jaideep Malik, Mr. Irshad, Ms.
Shikha Kataria, Mr. Anubhav
Sharawat and Mr. Pranav Sharma,
Advocates.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Laksh Khanna, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

30.07.2024

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1. By way of present bail application, the applicant seeks regular bail in FIR No. 292/2022 registered under Sections 20/25/29 of the NDPS Act at P.S. Crime Branch, Delhi.
2. It is contended on behalf of the applicant that no contraband was seized from the present applicant and the only seizure is 46 kgs of ganja, which was effected at the instance of one co-accused *Jitendra* and *Chander Shekhar*. It is further stated that the applicant's name has cropped up in the disclosure of *Chander Shekhar*, where he has stated that the said ganja was brought from Visakhapatnam with other co-accused and one *Raja*. Besides the disclosure statement, there is no other material placed on record which would indicate the applicant's involvements in the said offence. It is further stated that applicant was taken in custody on 31.03.2023 and though charge-sheet was filed in June, 2023, the charges have not been framed till date. Lastly, it is submitted that the prosecution has cited 22 witnesses and the



trial is expected to take long time.

3. The present bail application is resisted by Learned APP for the State who states that as per the prosecution case, the co-accused *Manoj* who is based in Visakhapatnam was the supplier of ganja. Insofar as the present applicant is concerned, he has introduced the co-accused *Raja* to *Manoj*. The present recovery was effected from a car which was registered in the name of *Mohini* w/o *Varun*. It is submitted that *Varun* and the present applicant are partners. *Varun* was also implicated in similar cases at Rohtak, Haryana. It is further stated that the present applicant used to recharge the FASTag of the aforesaid car. It is also stated that there are about 28 financial transactions between the present applicant and the supplier/*Manoj* beginning February, 2022 to September, 2022. On the aspect of applicant's other involvements, it is stated that he is involved in two robbery cases, two cases of hurt and two other cases of NDPS.

4. At this stage, learned counsel for the applicant states that applicant is already on bail in the other cases registered under the NDPS Act.

5. I have heard the learned counsels for the parties and perused the material available on record.

6. The material cited against the applicant are the disclosure statement of *Chander Shekhar*, 28 money transactions between the February, 2022 and September, 2022 and, the recharge of FASTag of car involved in the present case. Concededly, there is no recovery at the instance of present applicant. The aforesaid money transactions are also upto September, 2022, while in the present case seizure was effected in December, 2022. The applicant is in custody since 31.03.2023 and till date even charge has not been framed.

In the totality of the aforesaid facts and circumstances, this Court



deems it fit to release the applicant on regular bail subject to him furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/concerned Court/Duty M.M. and subject to the following further conditions :-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.
- ii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.
- iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.

7. The bail application is disposed of in the above terms.

8. Copy of the order be communicated to the concerned Jail Superintendent for information and necessary compliance.

9. Needless to state that the observations made hereinabove are only for the purpose of disposal of present bail application and which shall not have a bearing on the trial of the case.

MANOJ KUMAR OHRI, J

JULY 30, 2024

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