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

+ **BAIL APPLN. 3748/2023**

SHEKHAR KUMAR VERMA

..... Applicant

Through: Mr. Adarsh Kumar
Mishra, Mr. Shailendra
Singh, Mr. Tarun Kumar
and Mr. Sheetal Malhotra,
Advs.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Yudhvir Singh
Chauhan, APP for State
with Inspector Naveen
Kumar, P.S. Samaypur
Badli

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

05.01.2024

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1. The present application is filed under section 439 of Code of Criminal Procedure seeking regular bail in FIR No. 315/2020, dated 25.04.2020, under Section 22 of The Narcotic Drugs and Psychotropic Substances, Act, 1985, registered at Police Station Samaypur Badli.

2. At the outset, it is pointed out by the learned Additional Public Prosecutor that earlier this Court by order dated 27.04.2022 had dismissed the bail application filed by the applicant specifically noting as under: -

“9. In the circumstances, the recovery of 936 grams of Tramadol with no clear and apparent explanation shows that the applicant has not been able to satisfy this Court that there are reasonable grounds for believing that he is not guilty of such an offence, as

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required under Section 37 of the NDPS Act.”

3. The learned counsel for the applicant submits that there has been a change in the circumstances inasmuch as since 27.04.2022 eight witnesses have been examined and the examination of the said witnesses clearly shows that the applicant has been falsely implicated.

4. The learned Additional Public Prosecutor for the State submits that the trial is likely to be over within a period of 4-5 months and only eight official witnesses are left to be examined. He assures that all the witnesses will appear as and when summoned by the learned Trial Court and no unwarranted adjournments will be taken on the said ground. He submits that all the endeavours will be made by the State to get the trial expedited.

5. In view of the above, this Court does not consider it apposite to grant any order of bail to the applicant at this stage. The present bail application is therefore dismissed.

6. The applicant is however at liberty to apply for bail, in case the recording of the evidence is delayed and the trial is not concluded within a period of next five months.

7. A copy of this order also be sent to the learned Trial Court.

AMIT MAHAJAN, J

JANUARY 5, 2024

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