



\$~52

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 3290/2024
PINKIPetitioner

Through: Mr. Tarish V. Sathe, Advocate
versus

STATE(NCT OF DELHI)Respondent
Through: Mr. Laksh Khanna, APP for State

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

% **ORDER**
28.10.2024

CRL.M.A. 32657/2024 (early hearing by the applicant)

1. By way of present application, the applicant seeks early hearing of the bail application.
2. Issue notice.
3. Learned APP for the State accepts notice and submits that he has no objection to the prayer made in the application.
4. For the reasons stated in the application and in view of the no objection given by the other side, the application is allowed and with the consent of the parties, bail application is taken up for consideration today itself.
5. In view of the above, the present application is disposed of.

BAIL APPLN. 3290/2024

1. By way of present application, the petitioner/applicant seeks regular bail in FIR No.86/2024 registered under Sections 21/25/29 of NDPS Act at P.S. Crime Branch, Delhi.
2. Learned counsel for the applicant submits that the applicant is in judicial custody since 24.04.2024 and the only material cited against the



applicant is the disclosure statement of the co-accused. He submits that no recovery of contraband was effected at the instance of the present applicant except for a sum of Rs.1,00,000/-. He further submits that though the chargesheet has been filed, however, charges are yet to be framed. Moreover, a total of 23 witnesses have been cited by the prosecution, and the trial is likely to take some time. Lastly, it is submitted that the applicant is not involved in any other case.

3. Learned APP for the State has opposed the present bail application. He submits that as per the prosecution, the applicant had come to the spot to buy the contraband being 355 grams of *heroin*, which was recovered from the co-accused. Concededly, the recovery is at the instance of the co-accused and not at the instance of the present applicant. He further submits that there is also CDR connectivity between the present applicant and the co-accused. He, however, on instructions, confirms that the applicant is not found involved in any other case.

4. I have heard learned counsel for the applicant as well as learned APP for the State and have also gone through the material placed on record. Though the prosecution has alleged that there is a CDR connectivity, however, there is no transcript of the conversation.

5. Considering the facts and circumstances of the case and the fact that no recovery was effected at the instance of the present applicant, it is directed that the applicant be released on regular bail, subject to her 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 J.M./Link J.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 her mobile number to the Investigating Officer on which she 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.
6. The bail application is disposed of in the above terms.
 7. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.
 8. Copy of the order be uploaded on the website forthwith.
 9. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present bail application.
 10. The date already fixed i.e., 28.11.2024 stands cancelled.

MANOJ KUMAR OHRI, J

OCTOBER 28, 2024

na