

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
BAIL APPLICATION NO.5132 OF 2024**

|                         |                |
|-------------------------|----------------|
| Vishal Virender Sharma  | ...Applicant   |
| <i>Versus</i>           |                |
| Union of India and Anr. | ...Respondents |

---

**Mr. Somnath Iyer**, *for the applicant.*  
**Mr. Saket Ketkar**, *Spl. PP for the Respondent No.1/DRI.*  
**Mr. Yogesh Y. Dabke**, *APP for the Respondent No.2.*

---

**CORAM    DR. NEELA GOKHALE, J.**  
**DATED:    01<sup>ST</sup> OCTOBER 2025**

**PC:-**

**1.**            By this Application, the Applicant seeks interim bail for a period of six (6) weeks in NDPS Special Case No.698 of 2021 in FIR No.92 of 2020, registered with the Directorate of Revenue of Intelligence for offences punishable under Sections 8(c) r/w 21, 23, 27-A, 28, 29 and 30 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS').

**2.**            By order dated 27<sup>th</sup> September, 2024, this Court rejected the bail application of the Applicant herein. This

Court had recorded its opinion that Applicant has failed to make out a case on merits to satisfy the first limb of the stringent twin test, contemplated under Section 37 of the NDPS Act.

**3.** Heard Mr.Iyer, learned counsel for the Applicant; Mr.Ketkar, learned Special PP representing Respondent No.1 – DRI and Mr.Dabke, learned APP representing Respondent No.2 – State.

**4.** Mr.Iyer submits that the father of the Applicant died on 13<sup>th</sup> September, 2024, his mother is about 61 years of age, who is handicapped and suffering from paralysis, is entirely dependent on him for care and support. The Applicant is the only surviving member of the family and has no siblings or alternate support system to care for his ailing mother whose health is deteriorating day by day.

**5.** Mr.Ketkar, learned Special PP representing the DRI, resists the present Application and voices an

apprehension of the Agency, that 396 grams of contraband namely Heroin was seized from the Applicant and it is quite possible that the Applicant may abscond and not be available to face the trial.

**6.** Undoubtedly, a commercial quantity of contraband was recovered from the Applicant and this Court had refused to grant him bail on the ground that rigours of Section 37 of the NDPS were not satisfied. Be that as it may, Mr.Iyer has placed on record the medical papers of his mother. Admittedly, his father died when he was in custody and there is nobody to look after his mother. Applicant is required to make some arrangement for his mother.

**7.** Hence, only on humanitarian grounds, I am inclined to allow the Interim Bail Application. Applicant is granted interim bail for a period of one week from the date on which he is released. On the expiry of 7 days from the date of his release, he shall surrender before the Prison Authorities concerned, at 03:00 p.m., on the 7<sup>th</sup> day.

**8.** During the period of his release, the Applicant is directed to attend the office of DRI, C-Cell, Mumbai Zonal Unit, everyday at a time as per his convenience.

**9.** In case the Applicant has a passport, he shall surrender the same to the Directorate of Revenue Intelligence Authorities prior to his release.

**10.** Bail Application is allowed and disposed of in the above terms.

**(DR. NEELA GOKHALE, J)**