

Ajit

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 5442 OF 2024**

Rajvindar Singh	...Applicant
<i>Versus</i>	
State of Maharashtra and Anr.	...Respondents

Ms. Munira Palanpurwala, *a/w Kainat Sayed, Sumaiya Khan and Deepa A. for the Applicant.*
Mr. Madhukar Dalvi, *for the Respondent No.1-NCB.*
Mr. Yogesh Y. Dabake, *APP for the State-Respondent No.2.*

CORAM Dr. Neela Gokhale, J.
DATED: 11th September 2025

PC:-

1. The Applicant seeks his release on bail in connection with NDPS Special Case No. 1526 of 2021 in C. R. No. 57 of 2021, registered with Narcotics Control Bureau (NCB), Mumbai Zonal Unit, for the offences punishable under Sections 8(c) read with Section 20(b)(ii)(A), 21(c), 22(b), 25, 27(A), 28, 29 32(B) and 35 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act).

2. The Applicant is arrayed as Accused No.4. He was arrested on 14th June 2021 and it is alleged that 4.3 kgs of Charas was said to be recovered from him. The Applicant is 58 years old.

3. Ms. Palanpurwala, learned Counsel for the Applicant has tendered orders dated 15th April 2025, 12th December 2024, 7th October 2023 and 18th June 2025 passed by this Court in bail applications filed by the four co-accused. The same are taken on record.

4. The allegation against the present Applicant appears to be that the Charas was recovered from the motorcycle, which was parked outside the Gurudwara. The said contraband was recovered two days after the arrest of the Applicant. Thus, no contraband from the personal possession of the Applicant was recovered. *Prima facie*, it does not appear likely that the Applicant has committed the said offence. The material on record does not indicate any previous criminal antecedents against the Applicant. It thus also appears that the Applicant

is not likely to commit such an offence after his release on bail. The twin conditions under Section 37 of the NDPS Act are thus, satisfied. The trial is likely to take considerable time and the continued incarceration of the Applicant is undesirable.

5. Furthermore, considering that all the four co-accused have been enlarged on bail by the aforesaid orders passed by this Court, the principle of parity is invoked. In these circumstances, a fit case for the grant bail is made out. The application is accordingly allowed on the following terms and conditions:

ORDER

i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.1,00,000/ with one or two local sureties in the like amount;

- ii) The Applicant shall report to the office of the Narcotics Control Bureau, Mumbai Zonal Unit, on first Monday of every month between 10:00 a.m. and 12.00 noon, till the conclusion of the trial;
- iii) If the Applicant has not deposited his passport, the Applicant shall deposit the same with the Investigating Officer;
- iv) The Applicant shall not leave India, without permission of the trial Court;
- v) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- vi) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and / or change of residence or mobile details, if any, from

time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

vii) The Applicant to co-operate with the conduct of the trial;

viii) Any infraction of the aforesaid conditions shall entail cancellation of bail.

6. Application is allowed in the above terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(Dr. Neela Gokhale, J)