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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of decision: 28.05.2025*+ **BAIL APPLN. 1842/2025 & CRL.M.A. 14924/2025 & CRL.M.A.14925/2025**

RAMANDEEP SINGH

.....Petitioner

Through: Mr. M.L. Yadav, Mr. Harish Chand, Mr. Prashant and Mr. Anant Chitoria Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State and SI Sandeep Kumar, Special Cell NDR

CORAM:**HON'BLE DR. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****DR. SWARANA KANTA SHARMA, J. (ORAL)**

1. By way of this application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 172/2021, registered at Police Station Special Cell, Delhi for the commission of offence punishable under Sections 21/25/29 of the Narcotics Drugs and Psychotropic Substances Act, 1985 [hereafter '*NDPS Act*'].

2. Brief facts of the case are that on the basis of a secret information received on 05.07.2021, co-accused Rizwan was apprehended during the intervening night at Ghitorni, Delhi, while he



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was in a vehicle (scooty) bearing registration no. DL12SP1160. Upon search of the boot of the said vehicle, 1.17 kg of heroin was recovered. Pursuant to Rizwan's disclosure, co-accused Gurpreet and Gurjot were apprehended at Sector-65, Faridabad, Haryana. Upon search of the vehicle belonging to co-accused Gurpreet bearing registration no. UP15CW6969, a recovery of 168.5 kg of heroin was made. Similarly, 116 kg of heroin was recovered from the vehicle bearing no. DL10CK0539, which was being used by co-accused Gurjot. Subsequently, based on the disclosure of Gurpreet and Gurjot, a search was conducted at Flat No. 402, NSG CGHS Ltd., Sector-65, Faridabad, from where an additional 71 kg of heroin was recovered. The co-accused Rizwan further disclosed information about co-accused Hazrat, who was later apprehended from Village Jharsa, Gurugram. From his possession, 1.99 kg of heroin was recovered on 08.07.2021. Thereafter, at the instance of co-accused Hazrat and Rizwan, a search was conducted at House No. 182, Ghitorni, Delhi. From the said premises, two containers of hydrochloric acid, one container of liquid ammonia, and one container of dextromethorphan – all chemicals commonly used in the preparation of heroin – were recovered. Subsequently, based on the disclosure made by co-accused Gurpreet and Gurjot, present accused/applicant Ramandeep was apprehended from Beas, Amritsar. At his instance, 210 grams of heroin was recovered on 01.08.2021. Ramandeep then disclosed the name of another accused, Navpreet, who is yet to be arrested. During the course of investigation,



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documents pertaining to Navpreet were recovered from Ramandeep's possession. Co-accused Gurpreet and Gurjot had further disclosed information regarding a factory at Shivpuri, following which co-accused Hardev Singh, Manjeet Singh, and Prabhjeet Singh were arrested from Taloja Jail, Maharashtra, where they had already been incarcerated in connection with a DRI case pertaining to seizure of contraband from Shivpuri. It was also revealed that an iPhone used in the narcotic syndicate had been provided by present accused Ramandeep to Gurpreet and Gurjot; the said iPhones were subsequently recovered from the possession of Gurpreet and Gurjot. Investigation further indicated that co-accused Hardev Singh, Manjeet Singh, and Prabhjit Singh were part of the narcotic syndicate. A financial transaction of ₹2,80,000/- between co-accused Hardev Singh and co-accused Lovejit @ Labba was traced. The godown at Shivpuri, from which the heroin had been sourced, had been taken on rent by co-accused Manjeet Singh. Statements of the owners, Mr. Gopal and Mr. Jitender Shiv Hare, confirmed that the premises had been rented by Manjeet and the rent was paid by Lovejit @ Labba and Manjit @ Manna. Further investigation revealed that co-accused Prabhjit Singh had imported the contraband into India and had deposited the cash proceeds from Shivpuri into the account of an entity named Sandhu Export. Upon completion of the investigation, a charge sheet was filed against the accused persons Rizwan Ahmed, Gurpreet Singh, Gurjot Singh, Hazrat Ali, Ramandeep Singh (applicant herein), Hardev Singh, Manjeet Singh



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and Prabhjit Singh. Thereafter, a supplementary charge sheet was also filed against accused Manjit @ Manna and Lovejit @ Labba.

3. The learned counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case and he does not have any criminal antecedents. It is argued that no independent witness has been made a party to the proceedings who can verify the version of events claimed by the prosecution. The learned counsel also states that the applicant was not a party to the distribution network of the drugs, as alleged by the prosecution, and there is no evidence to suggest the same. It is further argued that the allegation against the applicant in the chargesheet is that 210 grams of heroin (i.e. an intermediate quantity) was recovered at his instance from his residence in Punjab and not from his person, along with cheque-books, and Election Id and Aadhaar card belonging to co-accused Navpreet Singh. Thus, at this stage, nothing is required to be recovered as the instance of the applicant and his custodial interrogation is not warranted. It is also argued that bar under Section 37 of NDPS Act would not be applicable in this case as the recovery shown from the residence of the applicant is an intermediate quantity. The learned counsel also argues that the applicant is in judicial custody since 17.07.2021 i.e. for almost four years and since the trial is at nascent stage, he be granted regular bail.

4. On the other hand, the learned APP for the State argues that in this case, the applicant herein was apprehended pursuant to disclosures made by co-accused Gurpreet and Gurjot, from whom



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168.5 kg and 116 kg of heroin respectively, and additional 71 kg of heroin at their instance, had been recovered. Moreover, 210 grams of heroin was recovered from the residence of the applicant at his instance. The learned APP for the State further submits that all mandatory provisions of NDPS Act were complied with and the FSL report also supports the case of prosecution. It is also contended that the applicant is one of the most important links of the syndicate and a close associate (schoolmate) of Navdeep Singh, who is allegedly the main handler of the entire syndicate, and is absconding. It is also pointed out that several other incriminating material was recovered at the instance of the present applicant, which finds mention in the chargesheet. It is therefore prayed that considering the facts and circumstances of the case, the present bail application be rejected.

5. This Court has **heard** arguments advanced on behalf of both the parties and has perused the record.

6. At the outset, this Court notes that the present case, as revealed through the material placed on record, discloses the existence of a large and well-organized narcotic drug trafficking syndicate operating across multiple states in India, with alleged international links. The investigation indicates a complex chain involving procurement, transportation, storage, and distribution of substantial quantities of heroin and other narcotic substances in different states. The recovery of commercial and intermediate quantities of contraband from various accused persons, coupled with the seizure of chemicals (used to purify the heroin) as well as communication



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devices, points towards a coordinated conspiracy among the accused persons. As pointed out, a total of 358.880 kg of narcotic substances as well as chemicals used for purifying the contraband were recovered from the syndicate.

7. Insofar as the role of the present applicant Ramandeep Singh is concerned, his name had been revealed by co-accused persons Gurpreet and Gurjot, from whom a total quantity of about 355 kg of heroin had been recovered. These recoveries, being of commercial quantity, indicate that both co-accused were active participants in a large-scale narcotics operation. Notably, pursuant to their disclosure, the applicant herein was apprehended and from his residence at Beas, Amritsar, 210 grams of heroin i.e. 40 grams short of commercial quantity was recovered. Though the recovered quantity from the applicant falls under the category of intermediate quantity, it cannot be viewed in isolation considering the broader context of the facts of the case and the interconnected roles of all accused.

8. It has come on record that the present applicant was closely associated with one Navpreet Singh, alleged to be a key handler in the syndicate, who is absconding and is stated to be in Turkey. The applicant had disclosed during the course of investigation that he was a schoolmate of Navpreet Singh and that his ties with Navpreet had deepened with the involvement of his neighbour, Diljeet Singh Sidhu @ Lala. More significantly, from the possession of the present applicant, several incriminating documents pertaining to Navpreet Singh were recovered, including his election ID card, PAN card,



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Aadhaar card, and a used Axis Bank cheque book belonging to an account held by Navpreet. Thus, these recoveries *prima facie* reflect a close nexus between the applicant and Navpreet Singh.

9. The investigation also reveals that the syndicate relied on sophisticated and encrypted means of communication to evade detection. The applicant had provided an Apple iPhone to co-accused Gurpreet Singh, which was used exclusively for communication *via* FaceTime and iCloud, avoiding conventional call records. The Cert-In report confirmed that the iCloud ID used by the applicant, *brar000777@icloud.com*, was accessed on the iPhone recovered from Gurpreet. Additionally, incriminating chats and call logs were recovered showing active communication between the applicant and other members of the syndicate, including Navpreet (*aceoffspades@icloud.com*), Gurjot (*baba000888@icloud.com*), and Gurpreet (*honey000888@icloud.com*), thereby suggestive of a coordinated and secure method adopted by the applicant and others to facilitate and perpetuate the drug trade.

10. Furthermore, the locations of the applicant and other co-accused Hardev, Gurjot, and Gurpreet, were found to be common in Shivpuri, Madhya Pradesh, where a factory allegedly linked to the syndicate's operations was located. When viewed and analysed cumulatively, the material on record discloses not only recovery from the applicant but also active association and participation in a trans-state narcotic trafficking network.



11. In the aforementioned circumstances, the bar under Section 37 of NDPS Act would stand against the present applicant. The Hon'ble Supreme Court in ***Narcotics Control Bureau v. Mohit Aggarwal***: 2022 SCC Online SC 891, while explaining the meaning of 'reasonable grounds' under Section 37(1)(b) of NDPS Act, has held that the same would mean credible and plausible grounds for the Court to believe that the accused person is not guilty of the alleged offence, and further that for arriving at any such conclusion, such facts and circumstances must exist in a case that can persuade the Court to believe that the accused person would not have committed such an offence.

12. In ***Narcotics Control Bureau v. Kashif***: 2024 INSC 1045, the Hon'ble Supreme Court held as under:

“8. There has been consistent and persistent view of this Court that in the NDPS cases, where the offence is punishable with minimum sentence of ten years, the accused shall generally be not released on bail. Negation of bail is the rule and its grant is an exception. While considering the application for bail, the court has to bear in mind the provisions of Section 37 of the NDPS Act, which are mandatory in nature. The recording of finding as mandated in Section 37 is a sine qua non for granting bail to the accused involved in the offences under the said Act.”

13. Though an intermediate quantity of narcotic substance (250 grams of heroin) was recovered from the present applicant, huge commercial quantity of about 355 kg of heroin was recovered from co-accused Gurjot and Gurpreet, who were closely connected to and associated with the applicant herein. Further, there is evidence on



record linking these accused persons to each other and they being a part of a large narcotic syndicate. Charges have already been framed against him by the learned Trial Court. In the given facts and circumstances of the case, this Court finds no reasonable grounds (for the purpose of Section 37 of NDPS Act) to believe that the applicant is not guilty of the alleged offence.

14. This Court further notes that the Coordinate Bench had dismissed the bail application of the applicant *vide* judgment dated 04.10.2024 in *Bail Appln. 550/2024*. While also dealing with the argument of delay in trial, the Coordinate Bench had observed as under:

“49.4 What may be relevant to weigh in balance in the present case, is the nature of the contraband seized. Most of the decisions cited above, giving benefit of bail for prolonged custody, seem to be cases where ganja was involved and were based on their own peculiar facts. Though this cannot be formulaic, the analysis serves as a useful guidepost.

50. In view of the aforesaid facts and circumstances, considering the large amount of heroin involved (about 359 kg), the sophisticated and complex nature of the conspiracy, modus operandi of the accused, role ascribed to the petitioner, and a serious possibility of flight risk. it cannot be said that the petitioner has been able to overcome the rigors of Section 37. The plea for regular bail cannot be granted, at this stage.”

15. The Special Leave Petition [SLP (Crl.) 17949/2024] preferred by the applicant was also dismissed as not pressed by the Hon’ble Supreme Court *vide* order dated 20-12-2024.

16. The trial in this case is at a crucial stage, since material witnesses are yet to be examined before the learned Trial Court.



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Considering the overall facts and circumstances of the case, and taking into account the rigors of Section 37 of NDPS Act, this Court finds no ground to grant bail to the applicant at this stage.

17. The bail application is accordingly dismissed. Pending applications also stand disposed of.

18. Nothing expressed hereinabove shall be tantamount to an expression of opinion on the merits of the case.

19. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 28, 2025/A