



\$~5

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1882/2025, CRL.M.A. 18211/2025 & 18210/2025**

RAVINDER SINGH @ RAVI

.....Petitioner

Through: Mr. Aditya Dhawan and Mr. Bharat
Kumar Advocate

versus

STATE (THROUGH GOVT. NCT OF DELHI)Respondent

Through: Mr. Amit Ahlawat, APP for State
with IO/SI Shailesh Kumar and
Inspector Rahul Kumar

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

%

17.07.2025

1. The accused/applicant seeks regular bail in case FIR No. 455/2024 of PS Special Cell for offence under Section 8/20/21/25/29 of NDPS Act. I have heard learned counsel for accused/applicant as well as learned APP assisted by IO/SI Shailesh Kumar.
2. It is argued on behalf of accused/applicant that even according to prosecution, apart from disclosure statement of accused/applicant, there is no other evidence against him. Learned counsel for the accused/applicant contends that prosecution shall never be able to prove complicity of the accused/applicant in the alleged offence insofar as there is nothing to show that the accused/applicant was in conscious possession of the contraband because the contraband even according to prosecution was recovered from a



car and at the time of alleged recovery of the contraband, the accused/applicant was not present even near the said car. On last date, the judgment of the Supreme Court in the case of ***Bishwajit Dey vs State of Assam***, 2025 SCC OnLine SC 40 was cited, claiming that since the accused/applicant was admittedly not driving the car from which the contraband was allegedly recovered, there is nothing on record to show that the accused/applicant was aware at the time of handing over the car to his nephew, the co-accused Rishabh, that the car would be used for transporting the contraband.

3. On the other hand, learned prosecutor assisted by the IO strongly opposes the bail application on the grounds of the vast expanse of the alleged offence of a drug cartel in operation. It is submitted on behalf of State that out of total 21 accused persons, 16 have been arrested so far and 05 have been declared Proclaimed Offenders (*including the kingpin Virender Singh who is settled in the UK and Dubai*) and 02 have been granted anticipatory bail (*petitions for cancellation whereof are listed today itself*). Learned APP submits that the accused/applicant is admittedly the registered owner of the car from which the commercial quantity of the contraband was recovered. It is also submitted on behalf of State that members of the same family including the accused/applicant, who is the real brother of the UK/Dubai-based kingpin, running the international drug cartel. Learned APP also pointed out that as recorded on last date, the accused/applicant has not handed over his mobile phone to the IO and is concealing the vital evidence.

4. As regards not handing over of the mobile phone, learned counsel for accused/applicant in his rebuttal submissions claims that the mobile phone



was handed over by the accused/applicant to the IO but the IO did not prepare any seizure memo. On this aspect, as recorded in last order, I had even checked the Case Diary and found that the same did not mention receipt/handing over of the mobile phone, so there is no evidence to rebut the claim of the IO in this regard.

5. As regards the judgment in the case of ***Bishwajit Dey*** (supra), learned APP submits that the said judgment pertained to the issue of *superdari* and not bail; and in any case, the prosecution has placed before the trial court the entire material which would bring case of the accused/applicant in second scenario contemplated by the said judgment because accused Virender Singh had telephonically directed the accused/applicant to give his car to his nephew Rishabh and had paid.

6. At this stage, in the course of dictation of this order, learned counsel for accused/applicant seeks permission to withdraw this bail application, though emphasizing that the arguments advanced on behalf of State are not sustainable. Learned counsel for accused/applicant also seeks liberty to file fresh bail application before the trial court where now chargesheet stands filed.

7. As requested, the bail application is dismissed as withdrawn with liberty as sought. It is made clear that what is recorded above is only the rival contentions and not the view of this Court. Pending applications also stand disposed of.

GIRISH KATHPALIA, J

JULY 17, 2025/as