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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 2273/2025**

HARPAL

.....Petitioner

Through: Mr. Rakesh Kumar Bhati, Mr. Gopal
Sharma, Mr. Manoj Dhaka, Advs.

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Aman Usman, APP with SI
Rahul Monga.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

18.11.2025

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1. Status report filed, which is taken on record.
2. This is an application filed on behalf of the petitioner under Section 438 CrPC/482 BNSS for the grant of anticipatory bail in case FIR no. 64/2025, registered at PS Mayur Vihar, Phase 1, under SectionS 20/29 NDPS Act.
3. Learned counsel who appears for the petitioner submits that no recovery has been made from the conscious or unconscious possession of the petitioner. All the allegations are false and baseless and the petitioner has no role to play. Petitioner is not named in the FIR and is being implicated only on the basis of the disclosure statement of the co-accused. Learned counsel states that petitioner is ready to cooperate in the investigation and nothing is to be recovered from his possession. He is ready to abide by any condition which the Court may impose.
4. Learned counsel further submits that proceedings under Section 82



CrPC have since been withdrawn by the trial court and that the alleged supply even as per the disclosure statement was made to the petitioner prior to the registration of the present FIR.

5. Learned APP has argued on the line of the status report that petitioner is part of the drug syndicate involved in drug trafficking. He is required for the purpose of investigation to unearth the complete conspiracy and for the purpose of recovery of contraband from his possession. He states that allegations are grave and serious in nature and, therefore, petitioner is not entitled for the grant of anticipatory bail.

6. As per allegations, based on secret information, co-accused Prince Kashyap and Harkesh Singh were apprehended on 31.01.2025. On the search of the bag that they were carrying, 23.837 kgs of Ganja was recovered. Consequently, the present FIR was registered.

7. As per the status report filed by the State, during investigation Prince Kashyap and Harkesh Singh disclosed that they used to work for Neeraj and on the instructions of Neeraj they used to bring Ganja from Raipur Chattisgarh and handover the same to him. They further disclosed that on the instructions of Neeraj, they handed over 10 kgs of Ganja to the present petitioner Harpal, r/o Distt. Gautam Budh Nagar, UP on 31.01.2025. They had further disclosed that they had supplied Ganja to one "Milon" and "Babu" r/o Ghaziabad.

8. Pursuant to the aforesaid disclosure statements, additional 51.170 Kgs Ganja was recovered from Ghaziabad at the instance of co-accused Harkesh, but, Babu and Milon managed to flee away.

9. The status report further indicates that raid was conducted at the residence of present petitioner but he was not found at his residence, and,



therefore, two notices under Section 67 NDPS Act were served to him through his family members but he avoided to join the investigation.

10. Co-accused Neeraj was arrested on 05.03.2025. Upon interrogation, he disclosed that he used to order Ganja from Prince and Harkesh for himself and further disclosed that on 31.01.2025, as per his directions, they had supplied 10 Kgs ganja to the petitioner Harpal while the remaining Ganja was received by him.

11. The status report further reveals that upon analysis of CDRs, it was found that Prince, Harkesh, Neeraj and Harpal were present within the same tower location on 31.01.2025.

12. Petitioner has criminal antecedents inasmuch as he is involved in 3 more FIRs under NDPS Act. The proceedings to declare him proclaimed offender were initiated, even though they have since been withdrawn. The custodial interrogation of the petitioner is required by the investigating agency to thoroughly interrogate him and to burst the complete chain. The total recovery of Ganja recovered is of commercial quantity.

13. The trading in illicit drugs is a serious offence which not only affects the economy of the country but affects the society as a whole, therefore, such offences need to be taken seriously.

14. Keeping in view the facts and circumstances and in particular the fact that petitioner is required for the purpose of custodial interrogation, in my view it is not a fit case for the grant of pre-arrest bail.

15. The application is therefore dismissed.

RAVINDER DUDEJA, J

NOVEMBER 18, 2025/Gs/ak