



\$~4

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

+ **BAIL APPLN. 2277/2025**

VINIT

.....Petitioner

Through: Ms. Neha Singh, Mr. Rahul Vats, Mr.
Saurabh Kumar Singh, Advocates

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State
with Mr. Ravinder Kumar, Adv.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

13.08.2025

%

1. By way of the present application, the applicant seeks grant of regular bail in FIR bearing No.194/2024, registered at Police Station Crime Branch, South Delhi for the commission of offences punishable under Sections 21/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereafter 'NDPS Act').

2. Briefly stated, the facts of the present case are that on the intervening night of 27/28.09.2024, on the basis of a secret information, a raiding team of Crime Branch intercepted a car bearing registration no. HR38AF6781. The driver of the car was identified the present applicant Vinit and the co-passenger was Nigerian national, who was identified as Joshua. Said Joshua



was found carrying 232 grams and 25 grams of suspected cocaine in two plastic pouches. Both of them were apprehended and their mobile phones were also seized. During the Course of investigation, it was revealed that the present applicant was working for said Joshua and both used to supply drugs in Delhi NCR region. At the instance of the accused Joshua, a supplier namely, Mike was also apprehended and 306 grams of Cocaine was recovered from his possession in addition to five mobile phones. As per the allegations, the present applicant is the registered owner as well as the driver of the vehicle from which commercial quantity of cocaine was recovered. Further, the CDR details of the mobile phones of the accused revealed that they were constantly in touch with each other through regular phone calls as well as through WhatsApp. Additionally, incriminating WhatsApp chats were also recovered from their mobile phones.

3. The learned counsel appearing for the applicant states that nothing was recovered at the instance of the present applicant and that he was merely the taxi driver and the accused was merely a passenger and, therefore, if any incriminating material was recovered from the possession of the accused, the driver that too a taxi driver cannot be arrayed as an accused.

4. The learned APP for the State, on the other hand, states that the accused was not a taxi driver and though it was stated that he was only a taxi driver working through Ola App., the call detail records exchanged between the two point out to the contrary.

5. This Court has **heard** arguments addressed on behalf of learned counsel for the applicant as well as learned APP for the State and has perused the material available on record.

6. After hearing arguments and going through the case file, this Court is



of the opinion that though it is argued that the accused Vinit was working through Ola App, the vehicle in question had not been booked through the said App which defies his claim in this regard. Moreover, though it is the submissions of the learned counsel that he was merely a taxi driver, 93 phone calls have been exchanged between him and the accused which is unusual between a taxi driver, if at all, he is merely a taxi driver and the accused, who is argued to be merely a passenger in his taxi. The allegations against accused are that he along with the present accused/applicant used to travel in the taxi of present accused/applicant who is the registered owner and driver of car no. HR38AF6781 when he used to obtain supply of narcotic substance from the co-accused Kone N Golo Seydou @ Mike and thereafter used to supply it to different persons while travelling with the present accused/applicant in his car. On the day when they were apprehended also, there were exchange of phone calls between the two that is the present accused/applicant and the co-accused. Between 07.06.2024 and 20.09.2024, 93 phone calls have been exchanged between the two. The recovered substance has been confirmed as cocaine by FSL. It is the case of the prosecution that the present accused/applicant was working as a facilitator for supplying drugs as his car was used for supplying drugs to different customers in Delhi. The quantity of cocaine recovered in this case is commercial quantity. The trial is yet to commence and witnesses are yet to be examined.

7. Considering overall facts and circumstances of the case, this Court is not inclined to grant regular bail to the present accused/applicant.
8. Accordingly, the present application stands dismissed.
9. It is, however, clarified that nothing expressed herein above shall



tantamount to an expression of opinion on merits of the case.

10. The order be uploaded on the website forthwith.

AUGUST 13, 2025/zp

DR. SWARANA KANTA SHARMA, J