



\$~37

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

+ **W.P.(CRL) 2328/2025, CRL.M.A. 21736/2025 & 21738/2025**

GOPAL DAS GUPTA

.....Petitioner

Through: Mr. Aman Panwar, Mr. Abhinav
Kumar and Mr. Manav Kaushik
Advs.

versus

NARCOTICS CONTROL BUREAU

.....Respondent

Through: Appearance not given.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **20.11.2025**

1. Learned counsel for the Petitioner submits that his Anticipatory Bail Application has been dismissed on 07.11.2025.
2. The co-accused had approached the Apex Court for quashing of the NCB and the interim protection has been granted to the co-accused.
3. Learned counsel for the Petitioner submits that the co-accused has filed a Writ before the Apex Court and has been granted interim Protection and seeks permission with withdraw the present Writ Petition with liberty to approach the Apex Court or any other appropriate Forum for appropriate relief.
4. It is highly opposed by the learned Counsel for NCB who submits that having lost in getting an Anticipatory Bail by the Court of Sessions, he cannot now seek the same protection in an oblique way.

Submissions heard and record perused.

5. There is some force in the submissions made on behalf of the NCB



that the Anticipatory Bail having been dismissed. The protection cannot be sought by the Petitioner from arrest for it would amount to grant of Anticipatory Bail. However, it can also not be overlooked that the co-accused who has filed the SLP before the Supreme Court has been granted Interim Protection in similar circumstances. Drawing a balance between the rival contentions of the parties, the NCB is directed to not arrest the Applicant for the next seven days, though it is at liberty to give a Notice to the Applicant to join the investigations to enable the Petitioner to approach the Superior Court.

6. The Writ Petition along with pending Applications stands disposed of.

NEENA BANSAL KRISHNA, J.

NOVEMBER 20, 2025/va