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

+ CRL.M.C. 5182/2025
ANIKET KUMAR

.....Petitioner

Through: Mohd. Suza Faisal and Mohd. Kashif,
Adv.

versus

NCB

.....Respondent

Through: Mr. Arun Khatri, SSC, NCB with Ms.
Poonam Rani and Ms. Tracy
Sebastian, Adv.

68

+ CRL.M.C. 5183/2025
SHUBHAM KUMAR

.....Petitioner

Through: Mohd. Suza Faisal and Mohd. Kashif,
Adv.

versus

NCB

.....Respondent

Through: Mr. Arun Khatri, SSC, NCB with Ms.
Poonam Rani and Ms. Tracy
Sebastian, Adv.

69

+ CRL.M.C. 5184/2025
VIKAS KUMAR

.....Petitioner

Through: Mohd. Suza Faisal and Mohd. Kashif,
Adv.

versus

NARCOTICS COTROL BUREAU

.....Respondent

Through: Mr. Arun Khatri, SSC, NCB with Ms.
Poonam Rani and Ms. Tracy
Sebastian, Adv.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

01.08.2025

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1. Petitioners in the above titled three petitions, have already filed respective anticipatory bail applications which are subjudice before the learned Special Judge-NDPS, Patiala House Courts, New Delhi. During pendency thereof, they seek similar relief from this court i.e. no coercive action be taken against them including directions to respondent, i.e. Narcotics Control Bureau (“NCB”), not to arrest them.
2. At the very outset, on a query to the learned counsel for the petitioners as to how such a misconceived petition has been filed by the each of the petitioners, he would argue that the petitioners have reasonable apprehension of arrest before the scheduled next date of hearing before the Ld. Special Judge (NDPS) on 04.09.2025 in the absence of interim protection during the pendency of the anticipatory bail applications, thus rendering the anticipatory bail application infructuous.
3. In response, learned SSC for the respondent/NCB appearing on advance knowledge/service of the petition, opposes not only the maintainability, but even otherwise the inadmissibility of the nature of relief sought from this Court while the anticipatory bail application is still pending. He would argue that petitioners cannot be allowed to indulge in forum shopping. In any case, they could have similar applications before the learned Sessions Court where their anticipatory bail applications are pending.
4. I am in agreement with the aforesaid submission of the learned counsel representing NCB. On this ground alone the petitions herein are liable to be dismissed.
5. Furthermore, my attention has been drawn by learned counsel for the NCB to an order dated 11.07.2025 passed by the learned Special Judge qua



one of the co-accused (not a petitioner here), relevant of which for ease of reference, is reproduced as under:

“Today the affidavit has been filed by the father of the applicant/accused, in which, it is mentioned that Sh Jatin Dutta, Ld. Advocate had taken Rs 1 lakh from his as fees and thereafter he filed the present application. Thereafter, the said counsel informed him that the bail has been granted to his son and he supplied the copy of the aforementioned order, the screen shot of which is filed along with the present affidavit.

A report was called from the Ahlmad of Court of Ld. ASJ-06, Vacation Judge, New Delhi, to apprise this Court as to whether any such order dated 24.06.2025 was passed or not. A report has been received and as per the said report, no such order was passed by the said Court.

It seems that one order has been forged pertaining to the grant of bail to applicant/accused in the present application. The record reflects that no such order was ever passed and let the Reader of this Court file a complaint before the SHO PS Tilak Marg, on behalf of this Court to register the FIR and investigate the matter in accordance with law.

Let the copy of this order along with the copy of the affidavit containing the screen shot/photograph of the forged order be sent along with the complaint.

Let the present order sheet be brought to the notice of Ld. Principal District & Sessions Judge, PHC, New Delhi.

Now to come up for addressing fresh arguments on 17.07.2025.”

”

6. Learned counsel for the NCB would submit that involvement of the petitioners of being part of the team that indulged in forging court orders cannot be ruled out. They are stated to be the real brothers/cousin brothers and members of the family of the accused who are already in detention. It was their duty to bring the above order to the knowledge of this Court,



though, *per se* it does not pertain to them.

7. In light of the above, and considering the quantity of contraband, i.e. 12,200 Tramadol tablets (3.7 kg), recovered by the raiding party of the prosecution/NCB, it is necessary that a thorough investigation be conducted by interrogating all the suspects believed to be involved in the entire racket.

8. As an upshot, I find no grounds to interfere.

9. Accordingly, all three petitions are dismissed.

ARUN MONGA, J

AUGUST 1, 2025/akc