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

+ **BAIL APPLN. 3044/2025**

SABBU

.....Petitioner

Through: Mr. Ali Aariz, Adv.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP
with WSI Himanshi, PS Jama Masjid.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

10.10.2025

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1. This is an application filed on behalf of the petitioner for the grant of regular bail in case FIR no. 184/2025, under Section 20/29 NDPS Act, registered at PS Jama Masjid.
2. Status report filed, is taken on record.
3. Learned counsel for the petitioner submits that the alleged recovery from the petitioner is of intermediate quantity and, therefore, the request of Section 37 NDPS Act shall not apply in the present case.
4. It is further submitted that there is no public witness of recovery and all the witnesses of recovery are police officials.
5. It is further submitted that petitioner has no previous criminal antecedents to his discredit. The investigation is complete and charge-sheet has already been filed in Court.
6. Bail application has been opposed by learned APP submitting that



allegations against the petitioner are grave and serious in nature. The trial is still at an initial stage inasmuch as the charges are yet no finalized. It is stated that the possibility upon being granted bail, the petitioner may escape from the jurisdiction of the Court cannot be ruled out and, therefore, he is not entitled for the grant of bail.

7. As per allegations on 02.04.2025, co-accused Sabir Ahmad and Mohd. Amzad were apprehended by the police team. A polythene bag containing 0.554 kgs of ganja was recovered from co-accused Mohd. Amzad while a polythene bag containing 0.490 kgs ganja was recovered from co-accused Sabir Ahmed. Upon such recovery FIR no. 184/2025 under Section 20/29 NDPS Act was registered.

8. Co-accused persons were interrogated about the supplier to which Sabir Ahmad disclosed that he can get Sabu arrested from whom he had received the contraband for further supply in small quantities.

9. The petitioner Sabu was arrested at the instance of co-accused Sabir Ahmed and ganja weighing about 14.7 kgs was recovered from his possession.

10. The combined recovery from all the accused persons including the petitioner is 15.744 kgs of ganja which is intermediate quantity under the NDPS Act and, therefore, that being so the rigors of Section 37 NDPS Act are not applicable in the present case.

11. The investigation is complete and, therefore, the petitioner is not required for custodial investigation. Charge-sheet has already been filed in Court. The petitioner has been in custody since the date of his arrest i.e., 03.04.2025. The trial may take long time to conclude. The Court is of the opinion that no fruitful purpose can be served by extending the detention of



the petitioner in custody.

12. In view of the aforesaid facts and circumstances, the petitioner is admitted to bail on his furnishing a personal bond in the sum of Rs. 20,000/- with a surety of like amount to the satisfaction of the Trial Court/ Duty Magistrate with condition that he shall cooperate in the trial and shall not threaten or intimidate the witnesses.

13. The bail application accordingly stands disposed of.

14. Copy of this order be sent to Superintendent Jail for information and necessary compliance.

RAVINDER DUDEJA, J

OCTOBER 10, 2025

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