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

+ **BAIL APPLN. 3289/2025 & CRL.M.(BAIL) 1822/2025
JASPAL SINGH**

.....Petitioner
Through: Mr. Maninder Singh, Sr. Adv. with
Mr. Shaantanu Devansh, Mr Priyam
Kaushik, Mr Harshith Pottangi, Ms.
Aashi Arora, Ms. Sanjana Nair, Ms
Janvi Narang and Ms Anurupita Kaur,
Advs.

versus

STATE OF NCT OF DELHI

.....Respondent
Through: Ms. Richa Dhawan, APP for the State
with SI Udit, Anti Narcotics/OD.

**CORAM:
HON'BLE MR. JUSTICE ARUN MONGA**

% **ORDER
22.09.2025**

1. The applicant herein seeks indulgence of this Court for grant of regular bail during pendency of the trial in the criminal proceedings arising out of FIR No. 956/2024 dated 23.10.2024 for the offences punishable under Sections 21, 22, 25, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act), registered at Police Station Sultanpuri, Delhi.
2. Applicant was arrested on 20.02.2025 and has been under incarceration for more than 7 months. His earlier bail application was



dismissed by the learned ASJ/ Special Judge *vide* order dated 15.07.2025.

3. Briefly stated, as per the FIR, on 22.10.2024, ASI Rajesh of Anti-Narcotics Squad, Outer District, Delhi received secret information that Takdeer Singh and his wife Gurjeet Kaur were supplying heroin and narcotic injections from their house at D-2/12, DDA Market, Sultanpuri. After obtaining authorization under Sec. 41(2) NDPS Act and forming a raiding party, the team reached the spot around 5:05 PM.

3.1 Both accused were apprehended, served Sec. 50 NDPS Act notices, and searched. From Takdeer Singh, 9.6 gm Buprenorphine tablets, syringes, needles, injections, and ₹2,420 cash were recovered. From Gurjeet Kaur's possession, 9.64 gm heroin and 0.9 gm Buprenorphine tablets were seized from her purse.

3.2 All the contraband was sealed, marked, and seizure memos prepared on the e-Sakshay App. The recovered articles were handed to HC Parveen for deposit at PS Sultanpuri, where FIR No. 956/2024 under Secs. 21/22/25/29 NDPS Act was registered.

3.3 Investigation revealed a supply chain involving Vijender, Vikas @ Sagar, and the Mind Vision De-addiction Clinic. The owner De-addiction Clinic, Jaspal Singh (applicant herein), was also arrested for procuring drugs illegally from Zenith Pharma using forged documents. He disclosed that his brother-in-law, Balvir Singh, worked as a caretaker at the clinic and used to dispense Buprenorphine tablets on his instructions. Balvir later surrendered and allegedly admitted his role while in custody.

4. In the aforesaid backdrop, I have heard the rival contentions and perused the case file.

5. Learned counsel for the applicant would *inter alia* argue on the lines



of grounds pleaded in the petition as below:-

5.1 That the Applicant is a qualified to run a duly registered de-addiction center, Mind Vision Clinic, Nangloi. The Sessions Court, while rejecting the bail application, failed to consider that there are no statutory regulations governing the functioning of de-addiction centers, nor any restrictions on the quantity of drugs such as Buprenorphine that may be legally maintained for treatment purposes.

5.2 That the Applicant's clinic operates within the legal framework, and the drugs recovered were medically prescribed to patients undergoing treatment for drug addiction. The patients found in possession of Buprenorphine were legitimate patients of the clinic.

5.3 That it is significant to note that the Applicant's name does not appear in FIR No. 0956 of 2024 registered under Sections 21/22/25/29 of the NDPS Act, nor in the charge sheet filed on 21.02.2025. The Sessions Court failed to appreciate that the recovered Buprenorphine was intended for medical use, and any alleged irregularities in prescription practices cannot be attributed personally to the Applicant.

5.4 That the Applicant was running the clinic legally when a staff doctor, Dr. Sagar Verma, sent an unauthorized resignation on 16.10.2024 to the Applicant's private email. This resignation was neither formally communicated to the clinic nor accepted, and the Sessions Court did not consider that Dr. Verma was bound by a mandatory contractual obligation from 12.08.2024 to 12.08.2025. Any procedural lapses by Dr. Verma cannot be imputed to the Applicant.

5.5 That the Applicant has maintained a good reputation throughout life and has no previous criminal antecedents. The Applicant is the owner of



Mind Vision Clinic, which operates as a de-addiction center serving the public. The Applicant has been in judicial custody since 21.02.2025, and the investigation in the present case is complete, with all relevant evidence already collected. Continuing pre-trial detention serves no further purpose.

5.6 That there is no material on record to suggest that the Applicant may tamper with witnesses, nor is there any indication that the Applicant is a flight risk. Any perceived risks can be mitigated by imposing appropriate bail conditions, including regular reporting to the Investigating Officer. No larger public interest would be served by prolonging pre-trial detention, and granting bail would allow the Applicant to continue the legitimate operation of the de-addiction clinic, which is beneficial to society.

5.7 That the Applicant undertakes to cooperate fully with the investigation and appear whenever called upon by the Investigating Officer. Further, it is submitted that no other bail application is pending before this or any other Court.

6. The learned APP for the State, opposing the application, submits that it is sans merit and the applicant is not entitled to bail at this stage. The recovery of Buprenorphine in commercial quantity, coupled with records of large-scale purchases and distribution, demonstrates violation of the NDPS Act and attracts Section 37. The clinic's lack of proper bills, irregular distribution, and inadequate medical supervision further confirm unlawful handling of the controlled substance. Considering the gravity of the offence, custodial detention is necessary to prevent tampering with evidence or influencing witnesses, and the bail application should be dismissed.

7. Having heard, *prima facie*, I find that certain submissions made on merits by the learned counsel for the applicant do carry some weight, though



these are ultimately issues to be adjudicated at trial. Nonetheless, having regard to the overall circumstances, I am of the view that this is a case for grant of bail at this stage. Let us see how.

8. The Applicant, runs a registered de-addiction centre where Buprenorphine was lawfully prescribed to patients. There is no dispute that on maintaining/keeping such drugs for treatment, subject of course, to statutory restrictions. The recovered drugs from clinic were for medical use. The alleged lapses of record keeping could have arisen from a staff doctor's unauthorized resignation or poor record keeping and may not be entirely attributable to the Applicant, as long as the clinic was operating within a legal and medical framework.

9. Learned senior counsel for the petitioner submits that while the applicant is indeed the owner of the de-addiction centre, which was established strictly in compliance with due procedure and is a duly designated facility. At the time of the raid, the applicant was in Ludhiana and not present at the centre, and the alleged recovery of 29.8 grams of Buprenorphine took place in his absence. He was never given an opportunity to explain whether the seized medicine was procured from an authorised supplier and was intended for legitimate prescription use at the centre.

10. Qua the allegation that no doctor was prescribing the medicines and that they were being distributed indiscriminately, it is categorically submitted by learned Senior that Dr. Sagar Verma was employed at the centre and the medicines were dispensed only on his prescription. The prosecution's claim that the doctor's signatures are forged is a matter of trial and cannot be assumed at this stage, particularly when it is undisputed that Dr. Verma was in the employment of the de-addiction centre.



11. The applicant has already remained in custody for more than 7 months. The trial is moving at a snail's pace and further continued incarceration would cause undue hardship to applicant's family and serve no useful purpose, especially when the trial is not likely to conclude in the near future as it violates the fundamental rule *i.e.* bail is the rule and jail an exception.

12. One of the primary objects of bail is merely to secure the presence of the accused during trial. The applicant statedly has deep roots in the society and has an unblemished record with no prior criminal involvements in NDPS, hence poses no flight risk.

13. As regards the apprehension of influencing or intimidating the witnesses and tampering with evidence, there is nothing on record to support such apprehension, and it is pertinent to note that the material evidence has already been seized and is securely in the custody of the prosecution, rendering such apprehension illusory. One of the primary objects of bail is to secure the presence of the accused during trial. The applicant has no criminal antecedents, poses no flight risk, and continued detention may amount to punishment before conviction, at this stage.

14. As an upshot and taking a wholesome view of the matter, the applicant is directed to be released on bail on his furnishing personal bond with solvent surety of like amount to the satisfaction of the Trial Court/Duty Judge concerned as the case may be, subject to the other usual conditions to be imposed by the learned Trial Court/Duty Court.

15. Any observation made herein above is only for the purpose of disposing of the instant bail application and not to be construed, in any manner, as any expression on the merits of the pending case and the trial



shall proceed without being influenced either way by the same. In case the applicant is found involved in any repeat offence while on bail, the prosecution shall be at liberty to seek cancellation of the bail granted to the applicant in the present case vide instant order.

16. Accordingly, the bail application along with pending application stands disposed of.

ARUN MONGA, J

SEPTEMBER 22, 2025/acm