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

+ **BAIL APPLN. 3438/2025**

RAJ KUMAR

.....Petitioner

Through: Mr. Rashid Khan, Mr. Maroof Abrar,
Advvs.

versus

STATE OF NCT DELHI

.....Respondent

Through: Mr. Aashneet Singh, APP with ASI
Pawan Kumar, Spl Staff/North Distt.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **14.11.2025**

1. This is an application under Section 483 BNSS filed on behalf of the petitioner for the grant of bail in case FIR no. 153/2025, registered at PS Civil Lines, under Section 20 NDPS Act.
2. Learned counsel submits that there is non-compliance of mandatory provision of Section 50 of NDPS Act. There is not a single independent eye witness of recovery. No recovery was affected from the possession of the petitioner and he has been falsely implicated in the present case.
3. The bail application has been opposed by learned APP stating that there is a recovery of 10166.4 grams Ganja from the possession of the petitioner and all the mandatory provisions of NDPS Act were duly complied with. FSL result confirms that the recovered substance was ganja. He further submits that petitioner has criminal antecedents inasmuch as he is involved in two more cases under the NDPS Act.



4. As per the status report, petitioner was apprehended on the basis of the secret information and from his possession, 10166.4 grams of Ganja was recovered. Admittedly, the quantity of ganja recovered falls in the category of intermediate quantity and, therefore, the rigors of Section 37 NDPS Act shall not apply in the present case.

5. The petitioner is stated to be involved in two more cases under the NDPS Act but he is stated to be on bail in both such cases.

6. The investigation is complete and charge sheet has already been filed in Court. Petitioner is, therefore, not required for further investigation. He is stated to be in custody since 28.03.2025. The denial of bail would amount to pre-trial punishment.

7. Hence, keeping in view the entire facts and circumstances, in particularly the fact that investigation is complete and all the witnesses cited by the prosecution are official witnesses and the trial may take long time to conclude, I deem it appropriate to allow the bail application.

8. The petitioner is accordingly admitted to bail upon furnishing a personal bond of Rs. 20,000/- with a surety of like amount, subject to the following conditions.

- i. That upon being released on bail, the petitioner shall furnish his permanent address and his mobile number and he shall keep the mobile operational all the times.
- ii. The petitioner shall regularly appear before the trial court and shall cooperate in the trial.
- iii. The petitioner shall not try to contact/threaten/intimidate any of the prosecution witnesses.
- iv. The petitioner shall not indulge in any other criminal case.



9. This application accordingly stands disposed of.
10. Copy of this order be sent to Superintendent Jail for information and necessary compliance.

RAVINDER DUDEJA, J

NOVEMBER 14, 2025

Gs/ak