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

+ **BAIL APPLN. 3567/2025**

SHANTI DEVI

....Petitioner

Through: Mr. Sanjay Suri, Ms. Vinny Shangloo
and Mr. Rishabh Relan, Advocates

versus

STATE THROUGH SHO P.S. NARELA

.....Respondent

Through: Mr. Manoj Pant, APP for the State
with Mr. Chandrakant, Advocate and
SI Rakesh Kumar, Special Staff OND

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

13.11.2025

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1. By way of the present application, the applicant seeks grant of anticipatory bail in case arising out of FIR bearing no. 535/2025, registered at Police Station Narela, Delhi for the commission of offence punishable under Sections 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereafter '*NDPS Act*').
2. Issue notice. The learned APP accepts notice on behalf of the State.
3. The brief facts of the case are that on 31.07.2025, at about 10:30 PM, a secret information was received that one individual, i.e. co-accused Mohar Singh, was actively involved in the supply of *ganja* and that he would be arriving near Raja Harish Chander Hospital between 12:00 midnight and 01:00 AM with a consignment of *ganja*. Acting on the said information, a



raiding team was constituted, and at about 11:30 PM, the raiding team departed from the Special Staff Office towards Sector 1–3, Rohini, and reached near Raja Harish Chander Hospital at about 12:20 AM. Around 12:30 AM, one person was noticed approaching from the direction of Singhola towards the Hospital, carrying a plastic sack in his right hand. On being identified by the informer, he was apprehended. Upon inquiry, he disclosed his name as Mohar Singh. On search, a plastic sack containing *ganja* was recovered from his possession. Upon weighing with an electronic scale, the total weight of the recovered narcotic substance was found to be 14.646 kilograms.

4. During the course of investigation, co-accused Mohar Singh disclosed the involvement of an elderly woman, i.e., the present applicant (aged about 75–80 years), in the illegal trade of narcotic substances. It was disclosed that the applicant had been regularly supplying *ganja* by providing consignments to co-accused Mohar Singh and collecting the same from him at various delivery points, after paying him money for transportation. It further came to light that on 31.07.2025, the applicant had sent another person near Kali Mata Mandir, Rohini Sector-3, to deliver a plastic sack containing *ganja* to co-accused Mohar Singh, with directions to hand it over to her near SRHC Hospital Cut, Narela. For the said delivery, co-accused Mohar Singh was promised a payment of ₹2,000/-.

5. The learned counsel for the applicant/accused argues that the applicant has been falsely implicated in the present case, solely on the basis of disclosure statement of co-accused Mohar Singh. It is contended that the applicant is not named in the FIR and no recovery has been effected from her possession. It is further argued that the applicant had been in contact



with the co-accused Mohar Singh only for the purpose of asking him to return her money, and the applicant has no involvement in the commission of alleged offence. It is also argued that the applicant has joined the investigation and has fully cooperated with the investigating agency. The learned counsel further argues that the mobile phone of the applicant was lost and, therefore, could not be produced during the investigation. Accordingly, it is prayed that the applicant be granted the relief of anticipatory bail.

6. *Per contra*, the learned APP for the State argues that the applicant has been actively involved in the supply of illegal narcotic substances. It is pointed out that the applicant was in continuous contact with the co-accused and CDR analysis reveals that there were 16 phone calls exchanged between the applicant/accused and the co-accused Mohar Singh on the day of the incident, i.e., 31.07.2025, which clearly indicates her involvement in the present offence. It is further argued that although the applicant/accused had joined the investigation once, she did not fully cooperate with the investigating agency and failed to produce her mobile phone, which is an important piece of evidence. Therefore, the custodial interrogation of the applicant/accused is necessary for a fair and effective investigation.

7. This Court has **heard** argument addressed by learned counsel of the applicant/accused and the learned APP for the State, and has perused the material on record.

8. In the present case, the applicant herein was granted interim protection by this Court and was directed to join investigation *vide* order dated 18.09.2025, pursuant to which she had joined investigation. It is the contended by the learned APP for the State that the applicant did not



handover her mobile phone to the I.O., whereas the applicant contends that she had lost her mobile phone. Be that as it may, this Court notes that the Call Detail Records (CDRs) of the applicant have already been obtained by the I.O. for the purpose of investigation.

9. As far as the contention of the learned APP for the State, that the frequent calls exchanged between the applicant and co-accused Mohar reveals the active involvement of applicant in supply chain of narcotic substances is concerned, it is a matter of fact that the applicant and co-accused Mohar are relatives, and it is also the case of applicant that she had been calling the co-accused for seeking return of a loan that she had advanced to him at the time of his daughter's marriage.

10. This Court also takes note of the fact that no recovery has been affected from the applicant, and even the *ganja* recovered co-accused Mohar is of intermediate quantity.

11. Therefore, considering the overall facts and circumstances of the present case, this Court is inclined to grant anticipatory bail to the applicant/accused. In event of arrest, she shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount, subject to satisfaction of the I.O./SHO concerned, subject to following conditions:

- i) The applicant shall join investigation, as and when called by the concerned IO/SHO with the Police and shall remain available on mobile numbers; shared by her with the police.
- ii) The applicant shall not leave the country without prior permission of the concerned court and shall also surrender her passport with the IO/SHO.



- iii) The applicant shall not directly or indirectly make an attempt to influence the witnesses or tamper with the evidence in any manner.
- iv) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned I.O/SHO.

- 12. Accordingly, the present application stands disposed of.
- 13. It is, however, clarified that nothing expressed herein above shall tantamount to an expression of opinion on merits of the case.
- 14. The order be uploaded on the website forthwith

DR. SWARANA KANTA SHARMA, J

NOVEMBER 13, 2025/ns

GJ