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IN THE HIGH COURT OF DELHI AT NEW DELHI
BAIL APPLN. 3809/2025 & CRL.M.A. 29739/2025,
CRL.M.A. 29740/2025

ZAINAB AHMAD @ ANNE MARIE MENDY

.....Petitioner

Through: Mr. Aditya Aggarwal &
Mr. Naveen Panwar,
Advs.

versus

NARCOTICS CONTROL BUREAURespondent

Through: Mr. Arun Khatri, SSC,
NCB with Ms. Shelly
Dixit, Ms. Tracy
Sebastian, Ms. Poonam
Rani & Ms. Priyanka,
Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **08.10.2025**

1. The present application is filed by the applicant seeking regular bail in case No.VIII/30/DZU/2022, registered at Police Station Narcotics Control Bureau for offences under Sections 21/23/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act').
2. It is pertinent to note that an application filed by the applicant on an earlier occasion was dismissed as withdrawn by order dated 29.04.2025, wherein, this Court had noted the submissions of the counsel for the applicant that he would be satisfied if the trial is expedited and liberty is granted him to file a fresh bail application in case the trial is not completed within a reasonable period of time.



3. This Court, thus, had requested the learned Trial Court to expedite the recording of evidence and had granted the liberty to the applicant to file a fresh bail application in case the trial is not concluded within a period of one year.

4. Not even six months have elapsed and a fresh bail application has been filed.

5. Learned counsel for the applicant submits that the learned counsel who had been representing the applicant on earlier occasion had not apprised this Court of the full facts.

6. He submits that the applicant had already undergone three and half years in custody and is entitled to be released on bail.

7. He further submits that the co-accused has already been granted bail by the learned Trial Court by order dated 18.09.2024.

8. Undisputedly the co-accused was already on bail when the application filed by the applicant was considered by this Court and disposed of by order dated 29.04.2025.

9. It is common knowledge that the Courts when are not inclined to admit the accused on bail, gives liberty to them to withdraw the bail applications and file afresh after change in circumstances.

10. As noted above, the bail application filed on an earlier occasion was dismissed not too long ago on 29.04.2025 and liberty was given to file a bail application afresh if the trial is not concluded within a period of one year.

11. On being asked, it is informed that four witnesses have already been examined. Thus, it cannot be said that the trial has been unduly delayed. There is a possibility of trial being



concluded in next 6 to 8 months.

12. The Hon'ble Apex Court has time and again deprecated the practice of filing repeated bail applications without any material change in circumstances [**Ref. Kalyan Chandra Sarkar v. Rajesh Ranjan and Another : (2005) 2 SCC 42**].

13. In view of the above, this Court does not consider it apposite to hear the arguments on merits only for the reason that the counsel has been changed and some grounds were not taken on an earlier occasion.

14. Entertaining such application will lead to a situation where endless number of applications will be filed with a different lawyer filing on every occasion taking a different ground. The application is, therefore, dismissed.

AMIT MAHAJAN, J

OCTOBER 8, 2025

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