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

+ **BAIL APPLN. 3945/2025**

**DHRUV SAREEN**

.....Petitioner

Through: Mr. Vaibhav Kapur, Advocate

versus

**STATE GOVT. OF NCT OF DELHI**

.....Respondent

Through: Mr. Manoj Pant, APP for the State  
with ASI Sunil Kumar, P.S. Anti  
Narcotic Cell, Kamla Market Centre.

**CORAM:**

**HON'BLE DR. JUSTICE SWARANA KANTA SHARMA**

**ORDER**

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**15.10.2025**

**CRL.M.A. 30743/2025 (exemption)**

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. By way of the present application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 896/2025, registered at Police Station Karol Bagh, Delhi, for the commission of offences punishable under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereafter 'NDPS').
4. Briefly stated, the facts of the case are that the present FIR came to be registered on 11.07.2025. Acting on a secret information, the applicant was



apprehended on the basis of the said information by Anti-Narcotic Cell. On his search, narcotic substance *charas* weighing 188.77 grams was recovered while he had come to the spot for delivering it to someone else. Accordingly, the FSL team and crime team was called at the spot, and the present case was registered after complying with mandatory provisions. During investigation, it was found that the applicant herein was habitual of illegally trafficking *charas* from Himachal Pradesh and supplying to various people in Delhi NCR. It was also found that he was arrested by the Crime Branch in a similar case and an FIR bearing No. 287/20219, P.S. Crime Branch on account of possession of *charas* is pending against him. It is stated that the co-accused has been served with a notice to join investigation, however, the Court is informed that she has still not joined investigation.

5. The learned counsel appearing on behalf of the applicant argues that there is non-compliance of Section 50 of NDPS Act in the present case. It is further argued that the recovery from the accused is intermediate quantity. It is further submitted that the applicant was granted bail in connection with the case previously registered against him under NDPS Act. It is also argued that the applicant is in judicial custody for the last three months. It is contended that the trial will take time to conclude; therefore, it is prayed that the applicant be granted regular bail.

6. The learned APP for the State, on the other hand, argues that there is compliance of all the mandatory provisions of NDPS Act. It is contended argued that since the accused is facing trial in a similar case, and the accused is a habitual offender, the present bail application be rejected.

7. This Court has heard arguments addressed on behalf of the applicant/accused as well as the State, and has perused the material available



on record.

8. The applicant herein was apprehended pursuant to receipt of secret information, and narcotic substance *charas*, weighing about 188.77 grams, was recovered from his possession. This Court is of the opinion that as rightly observed by the learned Trial Court, the videography of the recovery has been conducted through e-Sakshiya App, and actual physical recovery of *charas* was made from the present accused. Whether there were any procedural lapses, which affect the merit of the case or not, will be a matter of trial.

9. This Court further takes note of the fact that though intermediate quantity of *charas* was recovered from the applicant, the applicant was, in the year 2019, also apprehended with *charas* and an FIR stands registered in that regard wherein he is facing trial. It is clear that upon being released on bail in the said case, the applicant has again indulged in commission of similar offences.

10. Considering the overall facts and circumstances of the present case, and the fact that trial is yet to commence, this Court is not inclined to grant bail to the applicant at this stage.

11. Accordingly, the present application stands dismissed.

12. It is, however, clarified that nothing expressed herein above shall tantamount to an expression of opinion on merits of the case.

13. The order be uploaded on the website forthwith.

**DR. SWARANA KANTA SHARMA, J**

**OCTOBER 15, 2025/zp**