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

+ **BAIL APPLN. 4230/2024 & CRL.M.A. 34713/2024**

MANJU

.....Petitioner

Through: Mr Arun Bhardwaj, Sr. Adv. (through
VC) with Ms Usha Sharma and Ms
Janak Tyagi, Advs.

versus

THE STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms Priyanka Dalal, APP for State

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

21.01.2025

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1. This is a petition seeking grant of anticipatory bail in FIR No. 354/2024 dated 30.09.2024 under Sections 8/20 NDPS Act registered at Police Station-Chhawala.
2. As per the status report, on 30.09.2024 information was received from secret informer that one person named Sanjay is selling narcotics at Khasra No. 47, Gali No. 5, Samata Enclave, Chhawla, New Delhi and could be caught red handed if raid is conducted. Accordingly, a raiding team was constituted and at 05:00 p.m. the raiding team arrested Sanjay. (For the sake of brevity, the arrest procedure is not being described as the same is not relevant for the purpose of deciding this petition.)
3. On search of the accused Sanjay, 1.711 kg of *ganja* was recovered from search of a poly-bag being carried by him and seven other pouches were found weighing 0.026 kg from his pocket. Hence, the accused Sanjay



was arrested from the property described above.

4. In the disclosure statement of Sanjay, he stated that the petitioner supplied *ganja* to him for further sale.

5. Hence, the present petition.

6. Ms Dalal, leaned APP states that the petitioner has not given copy of the rent agreement between petitioner and Sanjay and it seems that she is the source.

7. Mr Bhardwaj, learned counsel for the petitioner states that Sanjay is the cousin of the petitioner and was permitted to stay in the house of the petitioner without there being any rent agreement only for a few weeks. However, the petitioner was totally unaware of the conduct or the dealing in contraband by the accused Sanjay.

8. I have heard the learned counsel for the parties.

9. In the present case, there is no recovery from the petitioner. The petitioner is only named in the disclosure statement of Sanjay without there being any corroborative evidence.

10. As regards the non-providing of the rent agreement by the petitioner is concerned, Sanjay being the cousin of the petitioner, it can *prima-facie* be accepted that the petitioner had permitted Sanjay to reside in the property without payment of rent.

11. The petitioner is a lady having clean antecedents with no other criminal case pending against her.

12. Pursuant to the interim protection granted to the petitioner, the petitioner has joined investigation and will give all the documents in her power and possession, if not already given.

13. For the said reasons, I am inclined to allow the petition.



14. Subject to the petitioner joining and cooperating with the investigation as and when directed by the IO, it is directed that in the event of arrest of the petitioner in FIR No. 354/2024 dated 30.09.2024 under Sections 8/20 NDPS Act registered at Police Station-Chhawala, she shall be released on bail on her furnishing personal bond in the sum of Rs. 10,000/- with one surety of the like amount to the satisfaction of the concerned IO.

15. The petition is disposed of accordingly.

16. The status report handed over in Court today is taken on record.

JASMEET SINGH, J

JANUARY 21, 2025

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Click here to check corrigendum, if any