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

+ **BAIL APPLN. 4427/2024**

MUNSHI LAL

.....Petitioner

Through: Mr. Vishal Raj Sehijpal with Mr.
Anwar Ahmad Khan, Mr. Priyanka
Handa, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Satish Kumar, APP for the State.
SI Kailash, Karol Bagh.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

16.01.2025

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1. This hearing has been done through hybrid mode.
2. The present application under Section 483 of the BNSS seeks regular bail in case FIR No. 565/2024, under Sections 20 (b) (ii) (B) of the NDPS Act, registered at P.S. Karol Bagh.
3. The case of the prosecution as per the status report is that the present applicant was apprehended and 1135 grams of *Ganja* was recovered at his instance. As per the prosecution, the investigation is complete and the chargesheet has been filed.
4. Learned counsel appearing on behalf of the applicant submits that the quantity in the present case is of intermediate nature and the rigours of Section 37 of the NDPS Act will not be applicable. It is further submitted that the chargesheet has been filed and the matter is now fixed for trial. The prosecution has cited 16 witnesses and the trial is likely to take some time.



5. *Per contra*, learned APP for the State submits that the applicant has been chargesheeted and he has also been involved in previous offences. It is further pointed out that the FSL report is still awaited.
6. Heard learned counsel for the parties and perused the record.
7. Admittedly, in the present case, the quantity recovered from the present applicant is of intermediate in nature and the chargesheet has been filed; however on account of FSL Report being awaited, the trial has not commenced. The applicant has been in custody since 21.07.2024. On a pointed query from the Investigating Officer, who is present in the Court, it is pointed out that the previous involvements of the present applicant does not pertain to any offence under the NDPS Act.
8. In totality of the facts and circumstances of the case, the applicant is directed to be released on bail, on his furnishing a personal bond of Rs. 25,000/- with one surety of like amount, to the satisfaction of the learned Trial Court/Link Court, further subject to following conditions:
 - i. The applicant shall not leave India without prior permission of the learned Trial Court.
 - ii. The applicant shall intimate the learned Trial Court by way of an affidavit and to the Investigating Officer regarding any change in residential address.
 - iii. The applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.
 - iv. The applicant is directed to give his mobile number to the Investigating Officer and keep it operational at all times.
 - v. The applicant shall not, directly or indirectly, tamper with evidence or try to influence the witness in any manner.



9. The application is allowed and disposed of accordingly.
10. Pending application(s), if any, also stands disposed of.
11. Needless to state, nothing mentioned hereinabove is an opinion on the merits of the case and any observation(s) made is only for the purpose for adjudication of the present bail application.
12. Copy of the order be sent to the concerned Jail Superintendent for necessary information and compliance.
13. Order be uploaded on the website of this court *forthwith*.

AMIT SHARMA, J

JANUARY 16, 2025/kr

Click here to check corrigendum, if any