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

\+ BAIL APPLN. 240/2026

MOHD RAJA .....Applicant

Through: Mr. Faraz Nabi, Adv. (through VC)

versus

STATE NCT OF DELHI .....Respondent

Through: Ms. Meenakshi Dahiya, APP for the State with Ms. Vanshika Singh and Mr. Bhanu Pratap Singh, Advocates with SI Yashpal, PS.: ANS/SED, Delhi.

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

O R D E R

% **24.03.2026**

1. By virtue of the present application made under *Section 482* read with *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (***BNSS***), the applicant seeks grant of anticipatory bail in FIR No.0760/2025 dated 02.09.2025 registered at PS.: Okhla Industrial Area, Delhi under *Sections 21/61/85* of the Narcotic Drugs and Psychotropic Substances Act, 1985 (***NDPS Act***).

2. *Briefly put*, based on the secret information received on 02.09.2025, the concerned Investigating Offer, during a raid conducted by him near Crown Plaza, Okhla, Delhi, apprehended the accused, i.e., one Mr. Sonu Kumar Pandey, was found with '*thirty grams*' of Smack/ Heroin. Pursuant thereto, the said contraband was seized and thence, he was arrested after due compliance under the NDPS Act. Thereafter, based on the disclose statement of Mr. Sonu Kumar Pandey, it was evinced that the applicant

herein was the master mind/ king pin of the drug syndicate as also the main supplier of the said narcotic substance. In fact, the applicant has been operating through a well-connected network in the Delhi NCR region through his associates Ramprasad @ Kiran and Karan@ Sahu, who, in fact, were also arrested as co-accused persons thereafter.

3. During investigation, it was revealed that communication and instructions were issued by the applicant and there were also multiple chats and call records indicating the distribution chain being handled by the applicant along with his close associate Ajay @ Totla, based on the mobile phones of the aforesaid co-accused persons. Subsequently, although the charge-sheet has been filed against the co-accused persons on 28.10.2025, however, the investigation regarding the backward and forward linkages of the syndicate, including the role of the applicant as also the absconding associate Ajay @ Totla, is still in progress.

4. Learned counsel for the applicant submits that the applicant has no involvement in the said drug syndicate and the prosecution has created a false narrative to implicate the applicant since the accused, Mr. Sonu Kumar Pandey, is a close relative of the applicant. The recovered narcotic is of an intermediate quantity, as also there were no public witness to verify the involvement of the applicant. It was submitted that as the co-accused persons have already been granted bail, the present application is liable to be allowed.

5. Learned APP for the State has handed over a copy of the Status Report in Court, which is taken on record. Based thereon, she submits that as per the disclosure statement of the co-accused persons, the applicant is the kingpin of the drug syndicate, which is affirmed by the electronic

evidences, i.e., communications and instructions apparent from the contents of the mobile phones of the co-accused persons. Further, learned APP for the State submits that the applicant being the kingpin and an influential person with financial resources, can intimidate witnesses, influence co-accused persons, destroy evidence, and alert absconding associate Ajay @ Totla, thereby prejudicing the pending investigation. In fact, there are *fifteen* prior criminal antecedents *qua* the applicant, registered throughout the NCT of Delhi and the statutory bar under *Section 37* of the NDPS applies strictly considering the facts herein.

6. Moreover, learned APP submits that the applicant has been absconding and intentionally evading arrest and his custodial interrogation is essential for filing the supplementary charge-sheet to unearth the source of contraband, financing channels, storage locations, and the entire network of suppliers and receivers involved in drug trafficking. In fact, despite directions by this Court *vide* order dated 20.01.2026, the applicant was directed by this Court to join investigation, he appeared late and did not co-operate effectively as he denied having the mobile phone(s) through which co-ordination of the drug syndicate was executed and he left the P.S. without giving his present address as well. Although the applicant was once again called by IO on 28.01.2026, he failed to appear. Pursuant thereto, a Notice under *Section 67* of the NDPS was issued to the applicant for joining investigation, but he did not do so.

7. Heard learned counsel for the applicant as also learned APP for the State and perused the documents as well as the Status Report on record.

8. It cannot be denied that the role of the applicant being significantly involved in co-ordinating the operations of the drug syndicate has been

verified through electronic evidences, i.e., mobile phones of the co-accused persons. More so, the applicant *admittedly* has *fifteen FIRs* pending against him, which are at different stages of trial. Thus, considering the aforesaid, the role attributable to the applicant, and his non-cooperation and non-appearance, this Court finds force in the submissions made by the learned APP for the State.

9. In view thereof, the present anticipatory bail application is dismissed.

10. The observations expressed hereinabove, if any, being tentative in nature, will not come in the way of any subsequent proceedings, which shall be dealt on their own merits.

SAURABH BANERJEE, J

MARCH 24, 2026/*bh*