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

+ **BAIL APPLN. 242/2026**

REHMAT ALI

.....Petitioner

Through: Mr. Halim Alam, Advocate (through
VC)

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **20.01.2026**

CRL.M.A. 1986/2026 (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 anticipatory bail in case arising out of FIR bearing no. 249/2025, registered at Police Station Crime Branch North, Delhi, for the commission of offences punishable under Sections 21/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereafter '*NDPS Act*').
4. Issue notice. The learned APP accepts notice on behalf of the State.
5. The brief facts of the present case are that on 17.09.2025, at about 09:30 PM, a secret informer had conveyed information that one Anshul Rana would arrive on the same day between 11:00 PM and 12:00 midnight



near Queen's Valley School, Dwarka Sector-8, DDA Sports Complex, for the purpose of supplying heroin. After obtaining permission from the concerned senior officers, a raiding team was constituted. At about 11:25 PM, on the identification of the secret informer, a person was apprehended. Upon enquiry, he disclosed his identity as Anshul Rana (co-accused). During his personal search, transparent plastic packets containing a light brown coloured substance were recovered. The substance was tested and was found to be heroin. On weighing, the packets were found to have a total weight of 2.034 kg. Further, the co-accused Anshul Rana had disclosed that he had procured the recovered narcotic substance from one Ganga Prashad (co-accused). Thereafter, the co-accused Ganga Prashad disclosed that he had procured the heroin from the present applicant/accused Rehmat Ali.

6. The learned counsel appearing for the applicant/accused argued that the applicant had been falsely implicated in the present case, merely on the basis of the disclosure statement of the co-accused. It was further argued that the applicant/accused does not know co-accused Anshul Rana, from whom the alleged recovery of heroin was made. It was also argued that the CDR connectivity, on the basis of which the police authorities were attempting to connect the applicant/accused with co-accused Ganga Prashad, pertained to the period from 09.10.2025 to 15.10.2025, whereas the alleged offence had taken place in September 2025. It was thus contended that the said CDRs clearly indicated that the applicant/accused and the co-accused Ganga Prashad were not in contact at the time when the alleged offence had occurred. On these grounds, it was prayed that the applicant/accused be granted anticipatory bail.

7. *Per contra*, the learned APP for the State opposed the present bail



application. It was argued that a commercial quantity of 2.034 kg of heroin had been recovered from co-accused Anshul Rana, who had disclosed that he had procured the said contraband from co-accused Ganga Prashad, and that the said co-accused had further disclosed that he had procured the heroin from the present applicant/accused. It was further argued that co-accused Ganga Prashad had pointed out the house of the applicant/accused and had also provided the mobile phone number of the applicant/accused, on which they used to communicate through WhatsApp. It was submitted that the mobile phone data of the co-accused persons had been retrieved during investigation and it was found that the applicant/accused was connected with the co-accused persons.

8. This Court has **heard** the arguments addressed by the learned counsel for the applicant/accused and the learned APP for the State, and has perused the material on record.

9. This Court notes that a total quantity of 2.034 kg of heroin was recovered from co-accused Anshul Rana, who disclosed that he had procured the said heroin from co-accused Ganga Prashad. The said co-accused, in turn, disclosed that the narcotic substance had been procured by him from the present applicant/accused.

10. It is to be noted that co-accused Ganga Prashad, while in police custody, disclosed that the narcotic substance had been procured from the applicant/accused herein and also pointed out the house of the applicant/accused.

11. It is further to be considered that co-accused Ganga Prashad had also provided the WhatsApp number of the applicant/accused, on which they used to communicate, and upon analysis of the CDRs, it was found that both



were in contact with each other.

12. It is further pertinent to note that the applicant/accused was issued notices under Section 67 of the NDPS Act on 17.10.2025, 12.11.2025, and 12.12.2025, which were duly received by his brothers. Despite service of the said notices, the applicant/accused has failed to join the investigation till date. Consequently, non-bailable warrants were issued against the applicant/accused on 03.01.2026. In execution thereof, a raid was conducted on 09.01.2026 to trace the applicant/accused; however, he could not be located. In view of the aforesaid conduct, proceedings under Section 84 of the Bharatiya Nyaya Suraksha Sanhita, 2023 have been initiated against the applicant/accused.

13. It is also pertinent to note that the applicant/accused has three prior criminal involvements, out of which two are under the NDPS Act and one under the Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Act. It is further noted that the heroin recovered in the present case is of a commercial quantity, i.e. 2.034 kg. In view thereof, the rigours of Section 37 of the NDPS Act are clearly attracted. Furthermore, upon considering the previous involvements of the applicant/accused, the twin conditions prescribed under Section 37 of the NDPS Act stand unsatisfied.

14. Considering the overall facts and circumstances of the present case, custodial interrogation of the applicant/accused is required for further disclosure as to the source from which he procured the narcotic substance. Therefore, this Court is not inclined to grant anticipatory bail to the applicant/accused.

15. Accordingly, the present application stands dismissed.

16. It is, however, clarified that nothing expressed herein above shall



tantamount to an expression of opinion on merits of the case.

17. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JANUARY 20, 2026/vc

RB/GJ