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

\# **CNR No. DLHC010024092026**

\+ BAIL APPLN. 337/2026

ASHA WAMBUI HAMISHI .....Petitioner

Through: Mr. Nikhil Pillai (DHCLSC), Mr. Manan Khanna, Mr. Varun Ahuja, Advocates

versus

CUSTOMS .....Respondent

Through: Mr. Gibran Naushad, SSC with Mr. Suraj Shekhar Singh, Mr. Hasan Haider & Mr. Anish Mishra, Advocates.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

O R D E R

% 09.10.2026

1. This application has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') read with Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act'), seeking regular bail on behalf of the applicant in Complaint Case No. VIII(AP)(10)P&I/3431-A/ARRIVAL/2022, dated 13th October, 2022, under Sections 8/21/23/28 of the NDPS Act, pending before the Additional Sessions Judge, Special Judge (NDPS), Dwarka Courts ('Sessions Court').

2. Counsel for the applicant submits that the applicant was arrested on 19th April, 2022 and has been in judicial custody for a period of 3 years and 8 months. He further submits that there has been an undue delay in the

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conclusion of the trial and that the present case is a fit case for grant of bail.

3. Counsel appearing for respondent opposes the grant of bail. He submits that 1983 grams of heroin were recovered from the applicant, which is a 'commercial' quantity. Hence, the rigours of Section 37 of the NDPS Act would apply to the present case.

4. He also submits that ten (10) prosecution witnesses have been examined already and only four (4) witnesses are required to be examined. The matter is now next listed before the Sessions Court on 13th November, 2026 for prosecution evidence.

5. It is an admitted position that substantial prosecution evidence in this case has already been recorded, inasmuch as ten (10) prosecution witnesses have been examined and only four (4) witnesses are yet to be examined.

6. Considering that the trial is at the fag end and the applicant has spent substantial time in incarceration, the Sessions Court is requested to complete the trial before 31st December, 2026. In the event the trial is not concluded by 31st December, 2026, the applicant would be at liberty to file a fresh bail application.

7. With the above, the present bail application stands disposed of.

AMIT BANSAL, J

OCTOBER 9, 2026

at

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