



\$~35

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

+ **BAIL APPLN. 432/2026 & CRL.M.A. 3313/2026**

JANG BAHADUR YADAV

.....Petitioner

Through: Mr. Aditya Aggarwal, Mr. Shivani
Sharma and Mr. Raghav Chawla,
Advocates

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State
with SI Narender Kumar

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

02.02.2026

%

1. The accused/applicant seeks regular bail in case FIR No. 127/2025 of PS Crime Branch for offence under section 20/25/29 NDPS and section 345(3) BNS.
2. Broadly speaking, according to prosecution side, 254.10kg *ganja* was recovered from the truck of the accused/applicant on the basis of secret information, followed by a raid.
3. Learned counsel for accused/applicant presses for bail on three grounds. Firstly, it is contended that the grounds of arrest were not furnished to the accused/applicant in the language which he understands. Secondly, it is contended that no independent witness was joined in the raid. Thirdly, videography of the proceedings was carried out but the same was not supplied to the accused/applicant. Learned counsel for accused/applicant



has taken me through record to point out that Section 50 NDPS Act notice was not required to be issued but the same is in Hindi, which shows that the Investigating Officer was aware that the accused/applicant does not understand English, therefore, grounds of arrest in English violate his fundamental rights.

4. Learned APP for State assisted by Investigating Officer/SI Narender Kumar strongly opposes the bail application on the ground of the quantity of *ganja* recovered, which is much more than the commercial quantity. It is argued by learned APP for State that at the stage of bail, the court shall not examine the procedural formalities, especially where recovery is such enormous. Learned APP for State has also taken me through chargesheet which categorically describes that grounds of arrest were duly explained to the accused/applicant in vernacular. Besides, learned APP for State has also referred to certain WhatsApp chats exchanged by the accused/applicant with others, which are in English. It is also contended that the accused/applicant is qualified till 12th standard. As regards joining the independent witness, as mentioned in the chargesheet, the Investigating Officer tried to join public persons but nobody agreed. As regards videography, it is submitted by learned APP for State that the same was uploaded on *e-sakshya* and it is only the trial court which can open the same.

5. As regards knowledge of English of the accused/applicant, learned counsel for accused/applicant submits that in those chats, the answer given by the accused/applicant was only through voice calls.

6. At this stage, learned counsel for accused/applicant on instructions seeks permission to withdraw this application with liberty to file afresh before trial court after testimony of one of the recovery witnesses.



7. Accordingly, the bail application and the accompanying application are dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

FEBRUARY 2, 2026/as