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

+ **BAIL APPLN. 852/2026 & CRL.M.A. 6509-6510/2026**

PANKAJ @ SUSHIL @ NITIN

.....Petitioner

Through: Ms. Kirti Chauhan, Mr. Deepanshu
Goswami, Mr. Rohit Sahrawat,
Mr. Harsh Sharma and Mr. Vikas
Sharma, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Priyanka Dalal, APP for the State
with ASI Chander Pal, PS Narcotics
South Distt.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
27.02.2026

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1. Applicant seeks grant of regular bail in a case arising out of FIR No.861/2024 dated 13.12.2024, registered at P.S. Jahangir Puri, for commission of offences under Sections 21/25 of *Narcotic Drugs And Psychotropic Substances Act, 1985* (NDPS Act). Subsequently, in the charge-sheet, offence under Section 29 NDPS Act was added.
2. As per the allegations appearing in charge-sheet, acting upon a secret information, one accused-Moinuddin was arrested on 13.12.2024 from whose possession 271 grams of contraband, suspected to be *Heroin/Smack*, was recovered. Upon interrogation, accused-Moinuddin disclosed that he used to procure such *Smack* from Vipin and Shahrukh through one Sabir. In supplementary disclosure, accused-Moinuddin, however, disclosed about the involvement of the applicant herein also claiming him also to be source.

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During further investigation, Sabir was arrested but fact remains that since there was no recovery from Sabir, he was enlarged on bail by learned Trial Court *vide* order date 08.01.2026.

3. As far as the applicant herein is concerned, he was arrested on 23.12.2024 and is in continuous incarceration since then, despite the fact that from his possession, there is no recovery of any contraband. His arrest is, primarily, on the basis of mere disclosure made by co-accused- Moinuddin and also for the reason that there are calls between him and such co-accused.

4. Fact, however, remains that the applicant is behind the bars for last more than one year and even the charges have yet not been framed as the report from FSL had been received very belatedly.

5. Be that as it may, keeping in mind the overall facts of the case and the fact that co-accused Sabir, from whom also there was no recovery of contraband, and against whom also the similar allegation was there with respect to telephonic calls, has already been enlarged on bail, the applicant herein i.e. Pankaj @ Sushil @ Nitin is also enlarged on bail on the same terms and conditions as reflected in order dated 08.01.2026 passed by learned Trial Court in relation to the bail granted to his co-accused Sabir.

6. The application stands disposed of in aforesaid terms.

7. A copy of this order be immediately sent to the learned Trial Court and Jail Superintendent for information and necessary compliance.

8. Pending application also stands disposed of.

MANOJ JAIN, J

FEBRUARY 27, 2026
st/sa



This is a digitally signed order.

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