$~52 (16.11.2026)

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

\# **CNR No. DLHC010488482026**

\+ BAIL APPLN. 4305/2026

JOINAL .....Petitioner

Through: Mr. Aditya Aggarwal, Ms. Manvi Gupta and Mr. Naveen, Advocates.

versus

STATE GOVT. OF NCT OF DELHI .....Respondent

Through: Mr. Tarang Srivastav, APP for State.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 17.11.2026

[This case is being taken up today as 16th November, 2026 was declared a holiday vide Notification No. 110/G-4/Genl.-I/DHC dated 11th November, 2026]

1. The present application under Section 483 read with Section 187 of the Bharatiya Nagarik Suraksha Sanhita, 2023[1], seeks bail in connection with FIR No. 453/2026 dated 21st July, 2026, registered at P.S. Adarsh Nagar, Delhi, under Sections 20 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985[2]. Section 29 of the NDPS Act has also been invoked during the investigation.

2. According to the prosecution, acting upon secret information, a police team conducted a search of premises bearing No. 2-B, Left Portion, Second

[1] "BNSS"
[2] "NDPS Act"

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 19/11/2026 at 11:27:39

Floor, Rana Pratap Road, Adarsh Nagar, Delhi, on the intervening night of 20th and 21st July, 2026. The Applicant was found present at the premises. During the search, a bag concealed beneath a folding cot was allegedly found containing 10.530 kg of *ganja*. An electronic weighing machine, plastic pouches and other packing material were also recovered from the premises. The Applicant was arrested on 21st July, 2026, and has remained in custody since then.

3. During investigation, the Applicant allegedly named Manoj Mehto as one of his suppliers. Manoj was subsequently arrested on 15th August, 2026, and a further recovery of 58.761 kg of *ganja* was effected from a vacant plot at Baprola, Delhi, at his instance. The prosecution seeks to connect the Applicant with this recovery through the alleged supply arrangement between them.

4. Counsel for the Applicant submits that the quantity attributed to him is intermediate and, consequently, the chargesheet was required to be filed within 60 days. The said period had expired when the Applicant moved an application for statutory bail before the Sessions Court on 22nd September, 2026. The application was dismissed principally on the ground that his earlier request for regular bail had been rejected on 5th September, 2026, and there was no change in circumstances. Reliance is also placed on ***Nawab v. State (NCT of Delhi)***[3]**.**

5. The State opposes the application, relying upon the subsequent commercial-quantity recovery from Manoj Mehto and the alleged involvement of the Applicant in the supply network. It is further pointed out that the Applicant is facing trial in another NDPS case, FIR No. 504/2021,

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 19/11/2026 at 11:27:39

P.S. Samaipur Badli, involving 24.68 kg of *ganja*, in which he was granted bail by this Court on 10th January, 2025. The State also apprehends that his release may impede the investigation into the remaining suppliers. The latest status report confirms that the chargesheet has since been filed, although examination of the seized mobile phones and collection of CDRs/IPDRs remain pending.

6. The question that arises is whether the subsequent recovery effected from Manoj Mehto can be attributed to the Applicant, thereby attracting the extended period of detention under Section 36A(4) of the NDPS Act and the rigours of Section 37(1)(b)(ii) of the NDPS Act. The quantity allegedly recovered from the Applicant's premises is admittedly intermediate. For an offence involving such quantity, punishable under Section 20(b)(ii)(B), the ordinary statutory period under Section 187(3) BNSS is 60 days. The period of 180 days under Section 36A(4) would become relevant if the Applicant is shown to be accused of an offence involving commercial quantity, including through a conspiracy punishable under Section 29.

7. The invocation of Section 29 of the NDPS Act does not, by itself, permit the quantities recovered from different accused to be aggregated. In ***Awadhesh Yadav v. State (Govt. of NCT of Delhi)***[4], this Court recognised that aggregation depends on the facts of each case and on the incriminating material supporting the alleged conspiracy. The aforesaid principle was reiterated in ***Sonu v. State (Govt. of NCT of Delhi)***[5], wherein this Court held that a separate recovery from a co-accused cannot, in the absence of independent or corroborative material establishing the applicant's

---

[3] BAIL APPLN. 2458/2024, decided on 5th August, 2024
[4] 2023 SCC OnLine Del 7732

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 19/11/2026 at 11:27:39

connection with the alleged conspiracy, be mechanically attributed to the applicant. In *Nawab*, statutory bail was granted where the quantity recovered from the applicant was intermediate, despite the prosecution's reliance on a separate commercial-quantity recovery from a co-accused.

8. The recovery attributed to the Applicant is 10.530 kg of *ganja*, which falls within the intermediate-quantity category. The prosecution also relies upon a subsequent recovery of 58.761 kg from a vacant plot at the instance of co-accused Manoj Mehto. According to the State, the Applicant had identified Manoj as one of his suppliers and disclosed that they communicated through WhatsApp. However, the status report does not identify any independent material presently corroborating the alleged arrangement. The CDRs/IPDRs are still awaited, as is the forensic examination of the seized mobile phones. In these circumstances, the material presently disclosed does not justify attributing the subsequent commercial-quantity recovery to the Applicant merely by invoking Section 29 of the NDPS Act. The stringent conditions under Section 37(1)(b)(ii) are, therefore, not attracted at this stage.

9. The Applicant is also facing prosecution in FIR No. 504/2021, involving 24.68 kg of *ganja*, in which he was granted bail by this Court on 10th January, 2025 in BAIL APPLN. 1779/2024. The present offence is alleged to have been committed while he was on bail in that case, which gives rise to a legitimate concern regarding further involvement in similar activities. However, the earlier prosecution remains pending and has not resulted in a conviction. These circumstances must be weighed alongside the nature of the present recovery and the evidence disclosed by the State.

---

[5] BAIL APPLN. 843/2025, decided on 28th May, 2025

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 19/11/2026 at 11:27:39

10. The chargesheet in the present case has since been filed. Although further investigation concerning the alleged supply network continues, the State has not identified any specific circumstance necessitating the Applicant's continued detention for that purpose. Its apprehensions regarding interference with the investigation and the possibility of further offences can be addressed through stringent bail conditions, including periodic reporting to the Investigating Officer.

11. Having considered the nature and quantity of the recovery attributed to the Applicant, his antecedents and the stage of proceedings, this Court considers it appropriate to grant him regular bail under Section 483 of the BNSS, subject to suitable conditions. The observations made herein are confined to the consideration of bail and shall not influence the trial.

12. Accordingly, the application is allowed. The Applicant is directed to be released on regular bail in FIR No. 453/2026, P.S. Adarsh Nagar, on furnishing a personal bond in the sum of ₹50,000/- with one surety of the like amount to the satisfaction of the concerned Trial Court, subject to the following conditions:

(i) The Applicant shall appear before the Trial Court on every date of hearing, unless exempted.

(ii) The Applicant shall furnish his current residential address and mobile number to the Investigating Officer and keep the latter operational. Any change shall be promptly intimated to the Investigating Officer and the Trial Court.

(iii) The Applicant shall cooperate with any further investigation and appear before the Investigating Officer as and when reasonably required.

(iv) The Applicant shall not leave India without prior permission of the Trial

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 19/11/2026 at 11:27:39

Court and shall surrender his passport, if any.

(v) The Applicant shall not directly or indirectly contact, threaten or influence any prosecution witness, or interfere with the evidence or investigation.

(vi) The Applicant shall not indulge in any criminal activity while on bail.

13. Any breach of the aforesaid conditions shall entitle the State to seek cancellation of bail in accordance with law.

14. Nothing stated herein shall be construed as an expression of opinion on the merits of the prosecution case, including the allegations concerning conscious possession or conspiracy, which shall be determined independently during trial.

15. The application stands disposed of in the above terms.

SANJEEV NARULA, J

NOVEMBER 17, 2026/*hc*

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 19/11/2026 at 11:27:39