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

+ BAIL APPLN. 523/2025
SANDEEP

.....Petitioner

Through: Mr. S.S. Das, Ms. Ria Das and Ms. Sia Das, Advocates.

versus

STATE, NCT OF DELHI

.....Respondent

Through: Ms. Priyanka Dalal, APP for the State with SI Sahil Gohlawat, PS Special Cell.

+ BAIL APPLN. 3574/2025
MEHRUDDIN

.....Petitioner

Through: Mr. Akshay Bhandari with Ms. Megha Saroa, Mr. Janak Raj Ambavat, Mr. Kushal Kumar and Mr. Anmol Sachdeva, Advocates.

versus

STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Ms. Priyanka Dalal, APP for the State with SI Sahil Gohlawat, PS Special Cell.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

13.03.2026

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1. Both the aforesaid applications, being connected, are taken up together.
2. The applicants herein i.e. accused are facing trial in a case arising out of FIR No. 222/0222 dated 29.07.2022, registered at Special Cell, Delhi, for commission of offences under Sections 21/29 of *Narcotic Drugs and Psychotropic Substances Act, 1985* (NDPS).
3. The detailed status report filed by the prosecution is already on record

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and briefly stated, as per the prosecution's case, a secret information was received by police on 28.07.2022 regarding one Vishal indulging in drug trafficking and, based on such information, a trap was laid and on same day, accused Vishal was found coming in a scooty and his co-accused/applicant-Mehraddin was found coming in auto. There was some exchange of bags ('*thaila*') by them and immediately thereafter, they were surrounded by the police and were apprehended. They were served with notice under Section 50 of NDPS Act and from their conscious possession, one kilogram of *Heroin* each was recovered.

4. During the course of arguments, it was apprised that accused Vishal has, unfortunately, expired.

5. Fact, however, remains that based on the disclosure of accused Vishal, police was able to apprehend co-accused Priya, Sunil @ Chedi and Sandeep (applicant herein).

6. As far as applicant-Sandeep is concerned, there is no recovery from his possession, *albeit*, prosecution strongly relies upon CDR and voice calls in order to show that he is an integral part of the conspiracy and that he knew about trafficking of the contraband in question. There was recovery of around 5 kg of *Heroin* from co-accused-Priya and also 400 gms of *Heroin* from Sunil @ Chedi.

7. It will be also important to mention that said Sunil @ Chedi, who was arrested on 07.12.2022, is already on bail.

8. Learned counsel for both the abovesaid applicants strongly rely upon bail order dated 08.09.2025, whereby the coordinate Bench of this Court had enlarged co-accused- Sunil @ Chedi on bail. It is submitted that though, there was recovery of commercial quantity of *Heroin* from conscious



possession of such co-accused, keeping in mind the overall facts and also, in particular, the fact that the custody period was more than two years and the trial was moving at a snail's pace, the abovesaid accused i.e. Sunil @ Chedi was directed to be released on bail. While granting him bail, it was observed by learned Single Judge that prolonged pre-trial detention, coupled with the slow progress of proceedings, was a contributory factor for bail. It also observed that there was no criminal antecedent of said accused and he was not at a flight risk, as he was having a family living in Delhi.

9. Learned counsel for the applicants submit that the allegations against the applicants herein are also almost identical in nature and accused Mehruddin was also found in possession of commercial quantity of *Heroin*. As regards Sandeep, it is contended that there is no recovery from him. It is submitted that the period of custody of these two applicants is rather more than what was the incarceration period of their co-accused-Sunil @ Chedi and, therefore, they both, on the principle of parity, deserve to be released on bail.

10. Nominal Rolls of both the abovesaid applicants are on record.

11. As far as applicant-Sandeep is concerned, he is, though involved in two other cases of theft and excise, there is no previous involvement under NDPS Act. He is, reportedly, resident of Delhi staying in Arjun Nagar and has undergone incarceration of 3 years 2 months. As far as applicant-Mehrudin is concerned, as per his Nominal Roll, he is a resident of Shahdara, Delhi, and has no previous involvement and has undergone more than 3 years 7 months of incarceration.

12. Learned Addl. P.P. for the State opposes both the abovesaid applications but, in all fairness, admits that the co-accused in the same case



i.e. Sunil @ Chedi, who was also found in possession of commercial quantity of *Heroin*, has already been enlarged on bail, primarily, for the reason that he was in custody, at the relevant time, for approximately two years and seven months. She, however, at the same time, strongly relies upon the fact that as far as applicant-Mehruddin is concerned, he was found in conscious possession of 1 k.g. of *Heroin* and though there was no recovery from the conscious possession of applicant-Sandeep, fact remains that CDR and the transcription thereof clearly suggests his complicity.

13. The trial is stated to be underway and out of the 33 cited prosecution witnesses, only 5 witnesses have been examined so far and therefore, there is no likelihood of trial concluding in near future.

14. Be that as may, keeping in mind the fact that one of the co-accused i.e. Sunil @ Chedi has already been enlarged on bail in the same case, it will not be appropriate to treat the case of the present applicants, differently.

15. Accordingly, both the applicants herein i.e. Sandeep and Mehruddin are directed to be released on bail on their furnishing personal bond and surety bond to the satisfaction of the learned Trial Court and subject to the usual conditions to be imposed by the learned Trial Court.

16. Nothing observed herein above shall tantamount to final expression on the merits of the case.

17. The applications stand disposed of accordingly.

18. Copy of the order be given *dasti* under signatures of Court Master.

MANOJ JAIN, J

MARCH 13, 2026
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