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

+ **BAIL APPLN. 3753/2025**

SARABJEET SINGH

.....Applicant

Through: Mr. Vikram Hegde and Mr. A.
Hansaraman, Advs.

Versus

NARCOTICS CONTROL BUREAU

.....Respondent

Through: Ms. Shelly Dixit, Advocate for Mr.
Arun Khatri, SSC

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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25.04.2026

1. The present matter is being taken up for hearing today, since, 03.03.2026 was declared a holiday.
2. By virtue of the present application 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**), the applicant seeks grant of regular bail in S.C. No. 4172023, Crime No. VIII/24/DZU/2023 for the commission of offences punishable under *Sections 8(c)/20(b)/22(c)/23/27A/29* of the NDPS Act.
3. As per facts, on 29.05.2023, upon receipt of secret information, accused Gajender Singh was intercepted by the raiding team when he arrived at the DTDC Office for booking a parcel. Upon search, a recovery of 15 LSD paper blots (weighing 0.3g) was effectuated at his instance and additional recovery of 650 LDS Blots was also made from his home. Thereafter, accused Gajender Singh, in his disclosure statement disclosed



that he used to book parcels on the directions of co-accused Shainu Hathwar, who disclosed that she had purchased the *LSD Blots* from Sarabjeet Singh/ present applicant. Based thereon, on 30.05.2023, a search was conducted at the applicant's house in Jaipur, wherefrom recovery of 9006 *LSD Blots* and 1.116 Kg of *Ganja* along with Rs.4,65,500/- in cash was effectuated.

4. Pursuant thereto, based on the disclosure statement made by the applicant herein about other consignments of such nature, the following recoveries were made: **(i)** 84 *LSD Blots* (45 *LSD Blots* weighing 0.7g and 39 *LSD Blots* weighing 0.7g) from Consignment bearing no.W60822411, delivered to co-accused Manthan Raina in Noida; **(ii)** 5006 *LSD Blots* from Parcel no.RR6739971691, intercepted at Post Office Mahasainik, Pune; **(iii)** 100 *LSD Blots* from Parcel No.W60803432, intercepted at the DTDC Courier Service, Kerala; and **(iv)** 100 *LSD Blots* from Parcel No.W60803434, intercepted at the DTDC Express Ltd., Aminjikarai, Chennai. Thereafter, the NCB filed its complaint before the learned Special Judge NDPS, Patiala House Courts, New Delhi on 24.11.2023.

5. Mr. Vikram Hegde, learned counsel for the applicant primarily submits that the applicant has been falsely implicated in the present case as there is no material on record to show that the applicant had any knowledge of the parcel or its alleged contents recovered from the co-accused. Further, there is no credible link/ evidence to connect the alleged recovery of *LSD Blots* from the co-accused with the parcels whose receipts were purportedly recovered from the applicant.

6. He submits that the record reveals material inconsistencies in both quantity and weight allegedly recovered from the applicant and produced



before the Court at the stage of proceedings under *Section 52A* of the NDPS Act. Mark AA was recorded as comprising *5780 LSD Blots* weighing *147.24g*, however, the same sample later shows an unexplained increase of *82 LSD Blots* as also reduction in weight by approximately *3 grams*. Likewise, Mark BB, which was recorded at *56g* at the time of seizure, however, the same is shown as *56.41g*, thereby undermining the credibility of the prosecution's evidence.

7. He further submits that the applicant has been in judicial custody since *30.05.2023* i.e. for more *two (2) years* and *nine (9) months* as on date, the chargesheet has already been filed, charges have been framed and out of a total of *forty six (46)* witnesses only *two (2)* have been examined till date, therefore, since trial is likely to take some time, keeping the applicant in judicial custodial would not serve any fruitful purpose. Lastly, he seeks to invoke the principle of parity, as the co-accused Shainu Hatwar and Ravi Jhinga, have already been granted regular bail by this Court *vide* judgments dated *03.03.2025* and *01.04.2025* respectively.

8. *Per contra*, Ms. Shelly Dixit, learned counsel for the State relying upon the Status Report, opposes the present application and submits that since the offence involves recovery of *9006 LSD Blots* and *1.116 Kg of Ganja* from the house of the applicant, which constitutes a '*commercial quantity*' under the NDPS Act, therefore, the embargo of *Section 37* of the NDPS Act finds applicability and since the applicant has failed to satisfy the twin test prescribed therein, he may not be granted bail.

9. She further submits that since it is upon the disclosure statement of the applicant herein that subsequent recoveries from various DTDC consignments/ parcels (*traceable to have been dispatched by the applicant*



herein) being 84 LSD Blots from Noida; 5006 LSD Blots from Pune; 100 LSD Blots from Kerela and 100 LSD Blots from Chennai has been effectuated, it demonstrates a coordinated inter-state network for illicit distribution of narcotic substances, particularly LSD Blots.

10. This Court has heard the learned counsels and perused the record.

11. The nature and gravity of the accusations levelled against the applicant herein, more so, in view of the severity of the punishment prescribed in the event of conviction, the role attributable to him are severe and cannot be ignored. There is a huge recovery of 9006 LSD Blots and 1.116 Kg of Ganja from the house of the applicant herein, and also recoveries from the co-accused persons to the tune of 84 LSD Blots from Noida; 5006 LSD Blots from Pune; 100 LSD Blots from Kerela and 100 LSD Blots from Chennai. These all reflect that the applicant is involved far and wide, all across India. Since the quantities recovered reflect/ constitute a 'commercial quantity' under the provisions of the NDPS Act, the rigours of Section 37 of the NDPS Act are thus attracted.

12. This Court need not go into the alleged inconsistencies in both quantity and weight allegedly recovered from the applicant at the stage of proceedings under Section 52A of the NDPS Act, as the same are matters of trial.

13. The applicant also cannot seek parity with the co-accused who have been granted regular bail since the role assigned to him is that of primary supplier of the LSD Blots. Also, the regular bail granted to the co-accused Shainu Hatwar was on medical grounds.

14. In view of the overall facts and circumstances, grant of bail to the applicant, at this stage, is uncalled for.



15. Accordingly, the present application is dismissed.

16. Needless to say, since the expression of opinion, if any, are for the purposes of adjudicating the present application only, they shall have no bearing on the overall merits/ trial involved.

SAURABH BANERJEE, J

APRIL 25, 2026/So/DA