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

+ **BAIL APPLN. 4573/2025**

HAPPY @ SANJEEV RANA

.....Applicant

Through: **Mr. Jai Subhash Thakur, Adv.**
(through VC)

Versus

THE STATE NCT OF DELHI

.....Respondent

Through: **Ms. Meenakshi Dahiya, APP for the**
State
Mr. Ranjan Bhatia, Adv.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

29.01.2026

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1. By virtue of the present application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the applicant/ accused (**applicant**) seeks grant of regular bail in case arising out of FIR No.113/2025 dated 09.05.2025, registered at PS.: Crime Branch, Delhi under *Section(s) 20/25/29* of the Narcotic Drugs and Psychotropic Substances Act, 1985 (**NDPS Act**).

2. As per facts, on 09.05.2025, upon intimation, the concerned ASI apprehended two persons namely, Deepak and Sunil, alongwith the Eicher Container bearing no.HR69B7295 from Mata Kali Road, Sector-32, Rohini, Delhi. After complying all the necessary provisions of the NDPS Act, a total of '365.030' Kg of *Ganja* and '18 *Kattas*' were recovered from a hidden cavity behind the driver's seat of the said vehicle in their

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possession. Pursuant thereto, FIR No.113/2025 was registered at PS.: Crime Branch, Delhi under *Section(s) 20/25/29* of the NDPS Act and the two co-accused persons were then remanded to judicial custody by the learned Additional Sessions Judge, Special Judge (NDPS), North-West District, Rohini Courts, Delhi. Further investigation revealed that one Happy @ Sanjeev Rana, i.e., the applicant herein, was the mastermind of the drug syndicate involved in the transportation of the *Ganja* recovered from the aforesaid two co-accused persons.

3. Thereafter, on 28.05.2025, the applicant himself came to the incumbent officials of the Crime Branch and pursuant to the investigation, it was revealed that there were multiple attempts to shroud the involvement of the applicant in the drug syndicate. More so, it was evinced that the syndicate used multiple SIM cards issued in fake identities, arranged by the primary supplier of the recovered *Ganja* namely, Santosh Pradhan, who has already been declared a proclaimed offender under *Section 84* of the BNSS, and all communications amongst the accused persons were carried out using these fake SIMs to evade detection.

4. As such, the learned Trial Court granted police remand for a period of three days *qua* the applicant and thence, the charge-sheet was filed on 04.11.2025 and, subsequently the matter was fixed for miscellaneous appearance before the learned Trial Court. In the interregnum, *vide* order dated 20.11.2025, the application seeking bail made by the applicant was dismissed.

5. Hence the present application seeking regular bail.

6. Mr. Jai Subhash Thakur, learned counsel for the applicant submits



that the applicant has been implicated solely on the basis of the disclosure statements of the co-accused; and that there is no independent evidence to support those statements; and the applicant is not even named in the said FIR; and neither were there any public witness nor any recovery of any contraband was recovered from the applicant. Based thereon, the learned counsel submits that the continued incarceration of the applicant violates the fundamental right to personal liberty guaranteed under *Article 21* of the Constitution of India.

7. *Per contra*, Ms. Meenakshi Dahiya, learned APP for the State submits that as per the investigation, there is sufficient material on record to demonstrate the attempt of the applicant to conceal his involvement in the drug syndicate, especially pertaining to the SIM cards with fake identities and the discrepancy *qua* registration and insurance of the vehicle from which the seized *Ganja* was recovered as also the financial transactions establishing a monetary link between the applicant and the co-accused persons. The learned APP submits that the charge-sheet has been filed, as also, admittedly, there are previous criminal antecedents and pending FIR(s) against the applicant since he is an active member of a well-organised interstate drug trafficking syndicate. Based thereon, the learned APP submits that there is a real and reasonable apprehension that, if released on bail, the applicant may influence prosecution witnesses or tamper with evidence, thereby seriously prejudicing the ongoing trial.

8. Heard learned counsel for the parties and perused the documents on record.

9. Out of the many grounds, the sole reason for the applicant seeking bail is his prolonged incarceration; and the fact that no illicit substance



was ever recovered from him; and that his arrest was based essentially on the disclosure statements of the co-accused persons and, lastly, there were no public witnesses.

10. The disclosure made by co-accused persons is also accompanied with recovery a total of '365.030' Kg of *Ganja* and '18 *Kattas*', is itself a relevant factor for consideration. More so, there was/ is no plausible reason for the co-accused persons to disclose the name of the applicant herein, as also the applicant has not denied that he does not know them. Further, as per investigation, since there are incontrovertible discrepancies *qua* the documents of the vehicle involved, SIM cards registered under fake identities and questionable financial transactions, the aforesaid variables whence taken into account, outweigh the period of incarceration undergone by the applicant. Moreover, the primary supplier, i.e., Santosh Pradhan, a declared proclaimed offender, is still on the loose, and the trial is at the nascent stage whereby all witnesses are yet to be examined, and there are also other criminal antecedents where the applicant is involved in pending cases which are at different stages of trial.

11. Cumulatively taken, it is premature for releasing the applicant on bail, at this stage. Accordingly, in view of the foregoing, the present application is dismissed.

12. Needless to say, the observation made, if any, on the merits of the matter are purely for the purposes of adjudicating the present application and shall not be construed as expressions on the merits of the matter.

SAURABH BANERJEE, J.

JANUARY 29, 2026/rr