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

+ **BAIL APPLN. 80/2026**

HERRY@ IFEANYI

.....Petitioner

Through: Ms. Sushma Sharma, Ms. Stuti Aggarwal and Mr. R. Sahil, Advocates.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State (through videoconferencing) with W/SI Meenu Bhan, SI Mohit and ASI Randhir Singh.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **25.04.2026**

File taken up today on account of 03.03.2026 being declared holiday.

1. The accused/applicant seeks regular bail in case FIR No. 164/2022 of PS Crime Branch for offence under Section 20/21 NDPS Act and Section 14 of Foreigners Act.
2. Broadly speaking, according to prosecution case, 225 grams of Methaqualone and 1.5 kg *ganja* were recovered from possession of the accused/applicant.
3. Learned counsel for accused/applicant contends that 225 grams Methaqualone allegedly seized on 03.08.2022 became cocaine at the time of being tested by FSL and its weight came out to be 236 grams. Further, it is also contended that even *ganja* which was recovered as 1.5 kg came out to



be 1.520 kg at the time of proceedings under Section 52A NDPS Act.

4. The IO/ASI Randhir Singh has explained the reasons for that discrepancy. But learned counsel for accused/applicant submits that it is the forensic expert who is the best person to explain it.

5. Under these circumstances, learned counsel for accused/applicant seeks permission to withdraw this bail application with liberty to file afresh before the trial court after examination of the FSL expert.

6. As requested, the application is dismissed as withdrawn with liberty as sought. The learned trial court is requested and the IO is directed to ensure that FSL expert appears on the date already fixed before the trial court for his/her testimony.

GIRISH KATHPALIA, J

APRIL 25, 2026/dr