

**IA 9/25 SC 94/25**  
**PS Special Cell**  
**FIR 468/24**  
**State Vs. VIMAL PANDEY**

08.12.2025

Present: Sh. A.B Asthana, Ld. Addl. PP for the State.  
Sh. Ram Das, Ld. counsel for applicant/accused.  
IO/SI Sunil Chandra in person.

IO has filed the reply. Copy supplied.

Arguments heard.

Vide my separate order of even date, the present application seeking grant of interim bail is dismissed.

Let the copy of this order and the substantive order be given dasti to parties and same shall also be communicated to accused/applicant through jail superintendent concerned.

**(Atul Ahlawat)**  
**ASJ/Spl. Judge, NDPS/N. Delhi**  
**08.12.2025**

**IN THE COURT OF ATUL AHLAWAT  
ADDL. SESSIONS JUDGE, NDPS ACT (SPECIAL JUDGE)  
NEW DELHI DISTRICT, PATIALA HOUSE COURTS,  
NEW DELHI**

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**ORDER**

**1** Vide this order, I shall dispose of the present bail application u/s 483 BNSS, 2023 seeking grant of interim bail for a period of 30 days.

**2** It is submitted by Ld counsel for applicant/accused that there is no other application seeking similar relief is pending before the Hon'ble Supreme Court of India, Hon'ble High Court of Delhi or any other court.

**3** It is submitted by Ld counsel for applicant/accused the applicant/accused is in JC and he is seeking the interim bail on humanitarian grounds considering the medical condition of his wife, who is supposed to undergo a surgery. The application is supported with the medical documents.

**4** It is submitted by Ld. Counsel for the applicant/accused that applicant/accused is ready to abide with any condition that this court may impose upon him and is ready to furnish sound sureties.

5 Per contra, it is submitted by Ld. Addl. PP for the State that there is recovery of commercial quantity of the contraband in the present case and the bar of Section 37 is fully applicable. The application was moved by the IO seeking the submissions of voice samples of the applicant/accused and the date is now fixed for 18.12.2025 by FSL Rohini, on which the applicant/accused needs to be produced for collection of the voice samples. The investigation is at crucial stages and if released on interim bail at this important juncture, he may abscond and flee away from the hands of justice. Furthermore, no date for the operation of the wife of the applicant/accused has been given till date. Therefore, the State is strongly opposing the present application.

6 After considering the rival contentions, this court is of considered view that the applicant/accused is involved in heinous case, wherein, the serious allegations have been levelled against him, being part of the conspiracy for illegal supply of NDPS medicines. There is recovery of commercial quantity of the contra-band in the present case and as per the decision of the Hon'ble High Court of Delhi in “*Pushpa Rani Vs NCB, MANU/DE/0702/2005*”, the twin conditions as enshrined u/s 37 of the Act has to be seen even while granting interim bail to the accused. The twin conditions imply reasonable grounds, which are more than a prima facie ground and it has to be based on substantial probable causes for believing the accused is not guilty of committing the offence in question and he would not commit the offences in future. The applicant/accused was absconding and he was later declared as a Proclaimed Person and thereafter, he

was arrested and produced before this Court. Therefore, at this stage, there is no ground for this court for recording the said subjective satisfaction.

7 Furthermore, the applicant/accused as per the medical documents verification report filed today, there is no date for surgery that has been given, since the wife of the applicant/accused was declared unfit for operation by the anesthetist. Although, as per the medical documents, the surgery needs to be conducted, however, there is no document produced on record regarding the fresh date of surgery of the wife of the applicant/accused being referred to the higher center. The investigation qua the applicant/accused is still pending and it is at an important juncture, wherein his voice samples are to be collected in custody before FSL Rohini on 18.12.2025.

8 Therefore, in the considered opinion of this court, there is no merit in the grounds raised in the present application. Therefore, the present application is hereby dismissed for being devoid of any merits.

9 Needless to say that nothing expressed herein shall have any bearing on the merits of the present case.

10 The application is disposed of accordingly.

**11** Copy of the order be given dasti. Copy be also sent to concerned Jail Superintendent, for supplying the same to the applicant/accused.

**(Atul Ahlawat)**  
**ASJ/Spl. Judge, NDPS/N. Delhi**  
**08.12.2025**