

IA2/26 SC556/22
FIR No. 106/22
STATE v. PANKAJ VERMA
PS SPECIAL CELL

19.03.2026

Present: Sh. A.B Asthana, Ld. Addl. PP for the State.
None for applicant/accused.

Vide my separate order of even date, the present application seeking grant of interim bail for a period of 30 days stands allowed.

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.

(Jitendra Pratap Singh)
ASJ/Spl. Judge, NDPS/N Delhi
19.03.2026/P

**IN THE COURT OF JITENDRA PRATAP SINGH
ADDL. SESSIONS JUDGE /SPECIAL JUDGE (NDPS),
NEW DELHI DISTRICT, PATIALA HOUSE COURTS,
NEW DELHI**

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STATE v. PANKAJ VERMA

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19.03.2026

ORDER

1. Vide this order, I shall decide the application under Section 483 BNSS filed on behalf of the applicant/accused Pankaj Verma seeking grant of interim bail for a period of 4 weeks on medical grounds of the wife of the accused.
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. The applicant is stated to be in judicial custody in the present case registered under Sections 21/29 NDPS Act. It is the case of the prosecution that a commercial quantity of heroin i.e. 05 kgs was recovered from co-accused Rajesh Gupta and during investigation, the present applicant was found to be part of the alleged narcotic syndicate. The material collected against the applicant includes intercepted voice calls, CDR connectivity, alleged financial transactions and FSL voice matching report.

4. The present application has been moved on the ground that the wife of the applicant namely Laxmi Verma is suffering from fibroid uterus and has been advised hysterectomy surgery. It is submitted that she has been experiencing excessive bleeding leading to weakness and the surgery was scheduled and that the presence of the applicant is necessary to take care of pre-operative and post-operative requirements. It is further submitted that there is no other adult male member in the family to attend to her medical needs.

5. Per contra, the application has been opposed by the prosecution. It is submitted that the applicant is a key member of an interstate narcotic syndicate. It is submitted that he was declared a proclaimed offender earlier and that there is apprehension that he may abscond or re-indulge in similar activities. It is further submitted that the rigours of Section 37 NDPS Act apply.

6. I have heard the submissions advanced and have perused the record carefully.

7. At the outset, it is to be noted that the allegations against the applicant are serious in nature and relate to commercial quantity of contraband. The material collected during investigation, including intercepted calls and FSL reports, prima facie indicate the involvement of the applicant in the alleged offence. Thus, the rigours of Section 37 NDPS Act would ordinarily operate against the grant of bail.

8. Be that as it may, the present application is not for regular bail but for interim bail on medical grounds concerning the wife of the applicant. The report received from Maharana Pratap District Combined Hospital, Bareilly, duly verified by the Investigating Agency, confirms that the wife of the applicant is suffering from fibroid uterus and has been advised hysterectomy. It is also opined that if the surgery is not conducted, continued bleeding may lead to anemia and further complications. It is further stated that the patient would require hospitalization and about one month of post-operative care.

9. The medical condition of the wife of the applicant thus cannot be said to be routine or trivial. The requirement of surgery and subsequent recovery period necessitates adequate support from a close family member. The submission that there is no other adult male member available to attend to such responsibilities has not been specifically controverted in the reply filed by the IO.

10. It is settled that even in cases involving serious offences, including those under the NDPS Act, interim bail can be granted on humanitarian grounds where compelling circumstances are made out, particularly relating to medical exigencies of close family members. The rigours of Section 37 NDPS Act, though stringent, are not intended to eclipse considerations of basic human necessity in deserving cases of temporary release. The reliance is placed on the decision of the Hon'ble High Court of Delhi in "*Athar Pervez Vs. State*", CrI. Ref. No. 1/2015.

11. At the same time, the concerns expressed by the prosecution regarding the conduct of the applicant, including his earlier status as a proclaimed offender and the nature of allegations, cannot be lightly brushed aside. Therefore, any relief to the applicant must be carefully balanced with appropriate safeguards.

12. Having given my thoughtful consideration to the totality of the facts and circumstances, this Court is of the considered view that the applicant has been able to make out a case for grant of interim bail for a limited period, subject to stringent conditions.

13. Accordingly, the applicant/accused Pankaj Verma is admitted to interim bail for a period of 30 days from the date of his release, subject to the following conditions:

i. The applicant shall furnish a personal bond in the sum of Rs.1,00,000/- with two sureties of the like amount.

ii. The applicant shall not leave the territorial jurisdiction of District Bareilly, U.P., without prior permission of this Court.

iii. The applicant shall provide his mobile number to the IO concerned and shall keep the same operational at all times.

iv. The accused shall also share his location with the Investigating Officer whenever required during the period of interim bail.

v. The applicant shall report to the nearest police station in Bareilly on each Monday falling during the period of interim bail.

vi. The applicant shall not contact, directly or indirectly, any prosecution witness or co-accused.

vii. The applicant shall surrender before the concerned Jail Superintendent on expiry of the interim bail period.

viii. The applicant shall appear before the Court on the next date of hearing, if the date falls within the period of interim bail.

14. It is made clear that any violation of the above conditions shall entail cancellation of interim bail.

15. Nothing stated herein shall be construed as an expression on the merits of the case.

16. The application under Section 483 BNSS, 2023/439 Cr.P.C moved on behalf of applicant/accused for grant of interim bail is accordingly disposed of, as allowed.

17. Copy of this order be given *dasti*. Copy of the present order be sent to concerned jail superintendent, to be supplied to the applicant/accused.

(Jitendra Pratap Singh)
ASJ/Spl. Judge, NDPS/N Delhi
19.03.2026/P