

Bail Matter: 187/2026
State Vs. Mukul Rajora
FIR No. 21/2026
PS: Bhajanpura
U/s: 22/25 NDPS Act

18.03.2026

**ORDER ON APPLICATION FOR ANTICIPATORY BAIL
FILED ON BEHALF OF THE APPLICANT/ACCUSED
MUKUL RAJORA**

1. This order of mine shall dispose of an application for grant of anticipatory bail filed on behalf of the applicant/accused Mukul Rajora.
2. I have already heard the counsel for the applicant /accused and Ld. Addl. Public Prosecutor for State.
3. Ch. Rabindra Singh, Ld. Counsel for the applicant/accused Mukul Rajora has submitted that the applicant/accused is peace loving and law abiding citizen of India. The applicant/accused is innocent and has been falsely implicated in the present case at the behest of hostile family members to mount pressure to settle the ongoing family property disputes between the father of the applicant/accused and his brothers. Ld. Counsel has also submitted that the applicant /accused is aged about 22 years, has completed his graduation from DU followed by a Diploma in Radiology & Imaging Technology and he is aspiring for job befitting his academic qualification.
4. Ld. Counsel for the applicant/accused has further

submitted that the applicant/accused is neither named in the present FIR, nor there is any whisper of allegations against the applicant/accused in the present FIR to attract any offence as alleged in the present FIR. The only allegation against the present applicant/accused is that he is the registered owner of the scooty No. DL10-EV 9466 allegedly seized in the present case from the possession of elder brother of the applicant/accused.

5. Ld. Counsel for the applicant/accused has further submitted that the present applicant/accused is having apprehension that he may be arrested in the present case by the police official of Narcotics Squad (N.E.), however, he has not committed any offence, as alleged. Ld. Counsel has also submitted that the applicant/accused is ready to join investigation as and when required by the IO and also ready to abide by all terms and conditions imposed by the Hon'ble Court and he also undertakes not to hamper/tamper with the prosecution evidence if he is released on anticipatory bail and prayed for grant of anticipatory bail.

6. On the other hand, Ld. Additional Public Prosecutor for the State has vehemently opposed the present application for grant of anticipatory bail and submitted that in the case in hand, 141.60 Grams PROXIOHM-SPAS CAPSULES (containing Tramadol Salt), 321.60 Grams PYEEVON SPAS PLUS CAPSULES (containing Tramadol Salt) and 2600 ML BERRYCAN-CD SYRUP (containing Codeine Salt) were recovered from the possession of co-accused Bhanu Rajora. The

present applicant/accused is brother of co-accused Bhanu Rajora and he is the registered owner of scooty bearing no. DL10-EV 9466, which was seized in the present case from the possession of co-accused Bhanu Rajora. He has also submitted that the recovered contraband falls within the category of commercial quantity, therefore, bar of Sec. 37 of NDPS Act is applicable in the present case. The present applicant/accused has committed the heinous offence U/s. 22/25 of NDPS Act alongwith the co-accused persons, therefore, he does not deserve the concession of anticipatory bail and prayed for dismissal of the present application under consideration.

7. As per the reply filed by the IO, during investigation, proceedings u/s. 84 BNSS have already been initiated against the applicant/accused, as he was absconding despite service of notice u/s 67 NDPS Act and even NBWs issued against him also could not be executed. In the present case, recovery of commercial quantity of illegal drugs has been effected from the real brother of the applicant/accused. The applicant/accused did not co-operate in the investigation at all.

8. I have given thoughtful consideration to the submissions made by counsel for this applicant/accused and Ld. Additional Public Prosecutor for State and perused the record.

9. Perusal of the record reveals that in the case in hand, 141.60 Grams PROXIOHM-SPAS CAPSULES (containing Tramadol Salt), 321.60 Grams PYEEVON SPAS PLUS CAPSULES (containing Tramadol Salt) and 2600 ML

BERRYCAN-CD SYRUP (containing Codeine Salt) is alleged to have been recovered from co-accused Bhanu Rajora and the present applicant/accused is brother of the co-accused Bhanu Rajora. Since, the alleged recovered contraband falls within the category of commercial quantity, therefore, bar of Sec. 37 of NDPS Act is applicable in the present case.

10. The Hon'ble Supreme Court of India in "**Union of India v. Ram Samujh and Anr. Appeal (Crl.) 866 of 1999**" while dealing with bail matter relating to the commercial quantity of contraband was pleased to observe as under:-

To check the menace of dangerous drugs flooding the market, the Parliament has provided that the person accused of offences under the NDPS Act should not be released on bail during trial unless mandatory conditions provided in Section 37, namely,

(i) there are reasonable grounds for believing that accused is not guilty of such offence; and

(ii) that he is not likely to commit any offence while on bail, are satisfied. The High Court has not given any justifiable reason for not abiding by the aforesaid mandate while ordering the release of the respondent accused on bail. Instead of attempting to take a holistic view of the harmful socio-economic consequences and health hazards which would accompany trafficking illegally in the dangerous drugs, the Court should implement the law in the spirit with which the Parliament, after due deliberation, has amended.

11. So far as the argument of Ld. Counsel for the applicant/accused that the applicant/accused has been falsely implicated in the present case at the behest of hostile family members to mount pressure to settle the ongoing family property disputes between the father of the applicant/accused and his brothers is concerned, nothing has been brought on record by the present applicant/accused to substantiate the same.

12. As per the reply filed by the IO, the present applicant/accused is real brother of the main co-accused Bhanu Rajora, from whose possession commercial quantity of the alleged contraband was recovered, when he was going on a scooty and the present applicant/accused is the registered owner of the said scooty. During investigation, the applicant/accused did not join the investigation, even after service of notice on 28.01.2026 and 30.01.2026. Both the notices were received by mother of the applicant/accused. NBWs have also been issued against him, but, it could not be executed, as the applicant /accused is absconding. Infact, proceedings u/s. 84 BNSS have already been issued against the present applicant/accused. Custodial interrogation of the applicant/accused is required, as, commercial quantity of the contraband has been recovered in the present case and if the applicant/accused is granted anticipatory bail at this stage, it may adversely affect the on going investigation. It is now well settled that the accused, who is absconding and against whom, the proceedings u/s. 84 BNSS have already been initiated, is not entitled for grant of

anticipatory bail.

13. So, taking into consideration the nature of accusation, gravity of offences alleged to have been committed in the present case and the fact that commercial quantity of contraband has been recovered in the present case, and that proceedings u/s. 84 BNSS have already been issued against the present applicant/accused, and the law laid down by the Hon'ble Supreme Court of India in case of **Union of India v. Ram Samujh and Anr.(supra)**, the present applicant/accused does not deserve the concession of anticipatory bail.

14. Accordingly, the application for grant of anticipatory bail filed on behalf of the applicant Mukul Rajora stands **dismissed**.

15. Copy of this order be given dasti to the parties.

(PUNEET PAHWA)
Special Judge (NDPS)/Addl. Sessions Judge/
North East/KKD Courts/Delhi/18.03.2026