

**Bail Matter IA SC 272-2024**  
**State Vs. Ravi Gupta**  
**FIR No. 105/2024**  
**PS Vijay Vihar**

**09.04.2025**

Present: Sh. Vineet Dahiya, Ld. Addl. PP for the State.  
None for applicant/accused.

1. This is an application under Section 483 BNSS for grant of regular bail, moved on behalf of applicant/accused Ravi Gupta.
2. Arguments have already been heard. Matter is listed for order today.
3. Contentions of ld. Counsels for applicant/accused are that applicant/accused has been implicated by police officials in the present case and arrested on 23.02.2024 on the basis of disclosure statement of co-accused Shani Dewol. No recoveries in any manner were affected from applicant/accused. Vide order dated 03.04.2024 applicant/accused was enlarged on bail but vide order dated 04.10.2024 the bail of applicant/accused was cancelled and since then he is in JC. Applicant/accused is running the business in the name & style "DK Tour and Travels" alongwith "DK Events Creations" and the applicant/accused used to receive money from businesses and events organized for his customers and the money received be distributed either in cash or through UP. Charge sheet has already been filed and charges have already been framed. Trial will take a considerable time. There is no document to show that the transaction in account of co-accused Shani Dewol is related to contraband.

4. Reliance has been placed on following judgments:

*(a) Jalauddin Khan Vs. UOI, Criminal Appeal No. 3173/2024;*

*(b) Satender Kumar Antil Vs. CBI Anr. 1849 of 2021;*

*(c) Nikesh Tarachand Shah Vs. UOI, (2018) 11 SC 1;*

*(d) Kalyan Chandra Sarkar Vs. Rajesh Yadav & Anr.*

5. Brief facts of the present case, as per prosecution, are that initially co-accused Shani Dewol was apprehended and from his possession 3 gm Cocaine was recovered. During course of investigation, at the instance of co-accused Shani Dewol, applicant Ravi Gupta was arrested on 23.02.2024 and at the instance of applicant Ravi Gupta source of supply who is a foreign national namely Chinedu Daniel was arrested and 06 gm Cocaine was recovered from his rented accommodation in Mahipalpur, Delhi.

6. In this case initially from accused Shani Dewol 3 grams Cocaine was recovered and during investigation Shani Dewol led to accused Ravi Gupta who was his employer and from accused Ravi Gupta the investigation came to co-accused Chinedu Daniel from whom further 6 gram Cocaine was recovered. Accused Ravi Gupta was already granted bail in this case as initially it was believed that to be case of conspiracy only. However, during further investigation, bank details were scrutinized and it was found that accused Ravi Gupta has been receiving money from accused Arif and within a span of 09 months around 23 lacs were transferred from the account of accused Arif to the account of accused Shani Dewol which was managed by accused Ravi Gupta.

7. The supplementary charge sheet shows that after receiving the

amount from accused Arif in the account of Shani Dewol, most of the money was withdrawn or transferred In the account of accused Ravi Gupta or his family members.

8. In cases, relating to financing the drug trafficking, there cannot be direct evidence. The circumstances that a drug peddler i.e. accused Shani Dewol's UPI account was used and managed by accused Ravi Gupta for receiving the money from accused Arif who is also found involved in FIR No. 192/2024 under the offence of NDPS Act, prima facie shows that this financial dealing between accused Ravi Gupta and Arif was for financing of drug trafficking.

9. Applicant is claiming parity with co-accused Arif who has been granted bail. However, the merits of Arif were completely different. Arif was not named by anyone involved in this case. Even though the charges have been framed against accused Arif also, there are probabilities in his favour as the financial transactions are not explained by the prosecution giving rise to probability that Arif may not be aware about the actual nature of transaction. However, this probability is not there with the applicant. He is the one who had employed accused Shani Dewol. He is the one who is operating the account of accused Shani Dewol and taking money from the account of accused Shani Dewol.

10. In view of the discussion above held, I am of the view that the application fails to bring circumstances lifting the rigors of Section 37 NDPS Act so as to say that accused is not guilty of the offence. Hence, the application is dismissed.

11. In view of the recommendations of Rules Committee under Section 523 of BNSS, 2023 with respect to the practice directions issued by Hon'be Supreme Court of India in Writ Petition no. W.P.(C) 1082/2022 Suhash Chakma Vs. Union of India & Ors., the applicant can avail the free legal aid facility from District Legal Services Authority (North-West) at Room No. 405, 4<sup>th</sup> Floor, District Court Rohini, Delhi-110085. Applicant may contact the authority on phone number 011-27555536 or through mail at e-mail ID northwest-dlsa@nic.in.

12. **Copy of this order be sent to Jail Superintendent to inform the applicant/accused of his rights. Copy dasti.**

**VIKRAM  
ASJ-II/SPECIAL JUDGE NDPS/  
NORTH-WEST/ROHINI COURTS/  
DELHI/09.04.2025**