

Bail Matters 694/2026  
STATE Vs. SURAJ  
FIR No. 14/2026  
PS- (Greater Kailash)  
u/s 21 of NDPS Act

14.03.2026

**File has been taken up today since 02<sup>nd</sup> March, 2026 was declared holiday on account of Holi festival by the Hon'ble High Court of Delhi vide order No. 64/G-4/Genl.-I/DHC dated 27.02.2026.**

**File taken up today on an application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023, filed on behalf of the applicant/accused Suraj Shah for grant of regular bail.**

Present: None for the State.

Sh. Udai Pal Choudhary, Ld. Counsel for the  
applicant/accused.

ASI Vineet Kumar, Special Staff/SED.

1. The regular Ld. Addl. PP for the State, attached with this court, is on leave today.
2. Vide this order, I shall adjudicate upon the regular bail application filed on behalf of the applicant/accused Suraj Shah. Arguments were heard at length, the gist whereof is discussed hereunder.
3. Ld. Counsel for the applicant/accused submitted that the applicant/accused has been languishing in JC since 11.01.2026 and that he has been falsely implicated in the present matter as he has nothing to do with the alleged offences. Ld. Counsel further submitted that the alleged recovery from the applicant/accused falls under intermediate quantity and the bar of Section 37 NDPS Act would not be applicable in the present case. Ld. Counsel further

submitted that investigation in the present matter has been completed and chargesheet has already been filed, therefore no fruitful purpose would be served by keeping him behind the bars. Ld. Counsel also submitted that the applicant/accused has no previous involvement. Ld. Counsel thus, submitted that accused ought to be granted bail and he is ready to abide by all the terms and conditions imposed upon him while granting the bail.

4. *Per contra* ASI Vineet Kumar opposed the bail application citing the gravity of the offences as one of the main grounds. ASI Vineet Kumar submitted that if the applicant/accused is granted bail, he may flee from criminal justice system and that the charges are yet to be framed in the matter and therefore, the applicant/accused ought not to be granted bail.

5. I have heard the arguments and also perused the entire material available on record.

6. It is settled law that the Court, while considering the application for grant of bail, has to keep certain factors in mind, such as, whether there is a *prima facie* case or reasonable ground to believe that the accused has committed the offence; circumstances which are peculiar to the accused; likelihood of the offence being repeated; the nature and gravity of the accusation; severity of the punishment, the danger of the accused absconding or fleeing if released on bail; reasonable apprehension of the witnesses being threatened; etc. However, at the same time, period of incarceration is also a relevant factor that is to be considered.

7. During the course of arguments, it was brought to the fore that the investigation in the present matter has already been completed and chargesheet has been filed and no custodial

interrogation of applicant/accused is required for the purpose of further investigation. The alleged recovery has already been effected from the applicant/accused. Also, the recovered quantity in the case from the possession of the applicant/accused is intermediate quantity 15.47 grams of 'charas' i.e just little bit above the small quantity. The accused is in JC since 11.01.2026. Besides that, as per the report, the applicant/accused has not been previously found involved in any other criminal case.

8. It would be apposite to refer the following extracts of **Rabiya @ Dulali Vs. State (NCT of Delhi) Bail Application No. 3203 of 2023** decided by the Hon'ble High Court of Delhi on dated 15.01.2024, whereby it was held as under:

"14. The recovery made from the applicant is even otherwise of 'intermediate quantity' and therefore, rigorous of Section 37 of the Act would not be applicable.

15. Keeping in view the above, the applicant is directed to be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety of the like amount."

9. Keeping in view the aforesaid facts and circumstances and considering the quantity seized is of intermediate in nature and further that the chargesheet has already been filed and no more custodial interrogation of accused is required and also, the applicant/accused has no previous involvement in any other criminal case, I deem it fit to grant bail to accused Suraj Shah, on his furnishing personal bond with surety bond of Rs. 15,000/- with one surety in the like amount each, subject to following conditions:

i) The applicant/accused shall not leave the country without the prior permission of the court;

ii). The applicant shall provide his permanent address to the court. The applicant shall intimate the court by way of an affidavit and to the IO regarding any change in the residential address;

iii) The applicant shall appear before the court as and when the matter is taken up for hearing;

iv) The applicant shall also furnish his mobile numbers and mobile numbers of his surety to the IO concerned, which shall be kept in a working condition at all times and shall not be switched off or changed without prior intimation to the IO concerned.

v) The applicant shall not communicate with or come in contact with any of the prosecution witnesses or tamper with the evidence of the case while being released on bail.

10. Needless to say, the above-mentioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the regular bail application stands disposed of.

11. In compliance of **Sanjay Singh Vs. State (Govt of N.C.T of Delhi) Writ Petition Criminal 974/2022**, copy of this order be sent to concerned Jail Superintendent to convey the order to inmate.

12. Copy of the order be given dasti.

**(Dr. TARUN SAHRAWAT)**  
**ASJ-04 + Spl. Judge (NDPS),**  
**South East District, Saket Court,**  
**New Delhi /14.03.2026**