

Bail Application IA /1/2020
PS-Crime Branch, New Delhi

12.02.2020

Bail Application of accused Karan Khanna.

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Accused produced from JC.

Mr. Prashant Mehendiratta, Ld. Counsel for
accused.

IO SI Vikran Singh in person.

Arguments heard. Ld. Counsel for accused has submitted that the accused has been falsely implicated in this case. The accused is in JC since 15.07.2019. The investigation of case has already been carried out. The accused is no more required for any further investigation. It has been further submitted that the investigation carried out by the IO is not fair as no efforts were made to identify the person to whom the material was to be supplied by the accused. It has been further submitted that as per charge sheet when the raiding party reached at the spot and apprehended the accused at the instance of the secret informer, no investigation was carried over there and the accused was taken in government vehicle to another place where investigation was carried out. There is nothing in the

Bail Application IA /1/2020
PS-Crime Branch, New Delhi
12.02.2020

-2-

charge sheet that how the Duster car of the accused was brought to the other place. The IO has not inquired that how the accused had possessed the material. It is further contended that two mobile phones were recovered from the accused as per charge sheet but no investigation has been carried out as to what material was recovered from the phones of the accused. It has been further contended that the accused went to Ajit Khalsa Dhaba to take dinner but there he was forcibly taken away by the police and even brother of accused namely Siddhant Khanna went to the Dhaba, from where he came to know that his brother was taken forcibly from there. Then his brother Siddhant Khanna made call on 100 number and has even went to PS-Mehrauli. It is further submitted that Siddhant Khana has also been arrayed as accused in the present matter by stating that he was kingpin who used to handover the material to present accused to supply the same but it does not appeal to common sense that the main supplier of the drugs would himself call the police or went to police station. It is further contended that the accused persons have been falsely implicated at the

Bail Application IA /1/2020
PS-Crime Branch, New Delhi
12.02.2020

-3-

instance of neighbours of the accused because on the same day in the morning they had some confrontation with the brother of the present accused and his neighbour on account of issue of wrong parking of vehicles by the guests of the neighbours. On the basis of these submissions prayer is made to release the accused.

On the other hand learned Addl. PP for State has opposed the application on the ground that there is no reason to falsely implicate the accused by the police because the police has no enmity with the accused. The recovery effected from the accused is of commercial quantity. Siddhant Khanna, the brother of accused Karan Khanna has not yet arrested. It is further submitted that the present case covers Section 37 of NDPS Act. On the basis of these submissions prayer is made to dismiss the bail application.

Heard. Material perused. As per the charge sheet, the present accused Karan Khanna was apprehended by the police party and was found in possession of 1200 gm *Charas*, 1 gm *Ganja* and 500 mg THC. The FSL result has already been received confirming the points raised by Ld.

Bail Application IA /1/2020
PS-Crime Branch, New Delhi
12.02.2020

-4-

Counsel for accused that the brother of accused has called the police or went to police station is his defence. Further, what could be the effect of non-scrutiny of the details of the mobile phone recovered; the source of possession of the contraband etc. can be looked into at the final stage only. However, considering the fact and gravity of offence that huge recovery has been effected from the applicant/accused, it is found that the accused is not entitled for bail. Hence, bail application stands dismissed. IA stands disposed of accordingly.

Copy of this order be given dasti.

(Bhupesh Kumar)
Addl. Sessions Judge (South)
Saket Courts, New Delhi/12.02.2020