

**CNR No. DLWT01-001428-2021**  
**SC No. 172/2021**  
**FIR No. 317/2018**  
**u/s 20/23/25/29 NDPS Act & 468/471 IPC**  
**PS: Crime Branch**  
**State Vs. Sahil Kadyan and Anr.**

**17.02.2024**

**Case file is taken up today upon an application filed on behalf of applicant/accused Ridham Gulati u/s 439 of Cr.P.C.**

Present: Sh. Shiv Kumar, Ld. Substitute Addl. PP for the State.

Sh. Deepak Sharma Ld. counsel for applicant/accused.

ASI Ramdas in person.

Reply to the bail application is filed. Copy Supplied.

Application gone through. Arguments Heard.

Ld. Counsel for applicant/accused submits that applicant/accused is innocent and has been falsely implicated in the present matter. He further submits that applicant/accused was granted bail vide order dt. 09.01.2019. He further submits that after grant of bail, applicant/accused had joined the investigation and has appeared on each and every date of hearing. He further submits that on earlier occasion applicant/accused has filed an application before the Court seeking NOC for renewal of his passport, thereafter he came to know about the condition of the bail order dt. 09.01.2019 as neither his previous counsel nor the IO of the case had apprised him

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about the said condition of bail order dt. 09.01.2019. He further submits that the act of not depositing the passport by the accused was neither intentional nor deliberate. With these submission, Ld. Counsel prays for grant of bail in favour of accused.

On the other hand, Ld. Substitute PP has strongly opposed the bail plea of applicant/accused on the ground that applicant/accused has misused the relief of bail and violated the conditions of the bail granted to him.

The allegations against the accused are that he alongwith other co-accused criminally conspired with Ando and Kandarpan Bansal(not yet arrested) to illegally import Ganja, Charas and THC/Dronabinol in India through courier company and the contraband Ganja, Charas, Dronabinol etc. were recovered their possession. In the present case, the applicant/accused is facing trial for the commission of the offence u/s 20(b)(ii)(B) r/w Sec 23 (b) of NDPS Act, Sec 23 (b) r/w Sec 29 of NDPS Act as well as of the offences u/s 468/471 of IPC.

It is relevant to mention here that vide bail order dt. 09.01.2019, applicant/accused was admitted to bail and one of condition of the said bail was that applicant/accused shall deposit his passport within 05 days of said bail order and shall not leave the territory of Delhi without the permission of Court. However, as per the details mentioned in the passport of the applicant/accused, it is revealed that after the grant of bail, applicant/accused visited outside

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India several time without permission of the Court and same is violation of the terms and condition of the bail order dt. 09.01.2019. Meaning thereby, the applicant/accused has misused the relief of bail granted to him.

Considering the conduct of the applicant/accused and keeping in view the violation of the bail condition for multiple times, in my humble opinion, applicant/accused is not entitled to relief of bail, at this stage.

Nothing stated hereinabove shall tantamount to be an expression of final opinion on the merits of the case. With above observations, application stands disposed off accordingly.

*Copy of the order be given dasti, as prayed for.*

**(Satvir Singh Lamba)**  
**ASJ/Special Judge (NDPS(West))**  
**THC/Delhi/17.02.2024**