

SC no. 184/2026
STATE Vs. Adarsh @ Gattu
FIR no. 275/2025
PS Crime Branch

04.04.2026

This is an application u/s 483 of BNSS filed on behalf of the applicant/accused Adarsh @ Gattu for grant of bail.

Pr: Sh. Subhash Chauhan, Ld. Chief PP for the State.
Ld. Counsel for the applicant/accused.
IO SI Deepak Kumar with case file.

File perused. Heard.

Reply filed by the IO. Copy supplied. Arguments heard.
Clarifications sought.

It is submitted by Ld. Counsel that the applicant/accused is innocent and has no hand in the commission of alleged offence. It is further submitted that applicant/accused has been falsely implicated in the present case. It is further submitted that the applicant has surrendered himself on 01.04.2026 & police has not sought his police custody. It is contended that the main accused Ranjeet Mehra & Sanjana were arrested on 28.09.2026 in present case and contraband was recovered from their possession. It is further submitted that the applicant/accused was implicated in the present case only on the basis of disclosure statement accused Ranjeet Mehra. It is further submitted that no notice was served by the police upon the applicant/accused, however, police has obtained the signature of the illiterate sister of the applicant/

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accused on a paper. It is contended that one year ago, the applicant had left home & shifted to another place due to love marriage in another caste. It is further contended that the applicant was not aware of any kind of alleged notice or the present case due to the said reason. It is further submitted that the applicant/accused is the brother in law of the accused Ranjeet Mehra. It is further submitted that nothing was recovered from the possession or at the instance of the accused/applicant & there is no other incriminating evidence against the applicant/accused. It is further submitted that the applicant is having clean antecedents and is not involved in any other case. With these submissions, prayer is made for grant of bail.

On the other hand, Ld. Chief PP for the state has strongly opposed the present bail application on the ground that the allegations against the accused are serious in nature and the possibility of tempering of evidence and influencing of witness and fleeing away from the justice cannot be ruled out in case applicant/accused is admitted on bail. Ld. Chief PP has prayed for the dismissal of the present bail application of the accused.

Brief facts of the case are that in the intervening night of 27/28.09.2025, on the basis of a secret information, 353 grams of Heroin/smack, 1235 grams & 1199 grams of suspected narcotics powder were recovered from co-accused Ranjeet Mehra @

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Kannu and 207 grams of Heroin/Smack was recovered from co-accused Sanjana. Thereupon, after due compliance the present case was registered and further investigation was carried out.

During further investigation, co-accused Ranjeet Mehra disclosed that he procured the recovered Heroine/ drugs from the applicant. The co-accused Sanjana disclosed that she procured the contraband from Ranjeet Mehra & nothing was disclosed against the accused/applicant. In the present case notice was issued to the applicant, however, he has not joined the investigation. Therefore, NBWs & process u/s 84 BNSS were issued against accused/applicant and was declared proclaimed absconder. It is pertinent to mention here that the applicant has surrendered himself in the court on 01.04.2026. It is relevant to mention here that after the interrogation, accused was arrested and no PC remand of the accused was sought by the IO.

Admittedly, in the present case the alleged contraband was recovered from the co-accused persons namely Ranjeet Mehra and Sanjana. The applicant/accused is stated to be the supplier of the alleged contraband and stated have CDR connectivity with the co-accused Ranjeet Mehra. Admittedly, no separate contraband was recovered from the possession of accused/applicant or at his instance in the present case. Further, the mobile number from which connectivity with the co-accused was shown, is not in the name of the applicant/accused. Further till

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date regarding the aspects of investigation in the present case, it is not brought on record that the accused/applicant was having mobile connectivity with co-accused persons from whom the alleged contraband was recovered. Moreover, there is no transcription of the alleged mobile CDR connectivity between the accused/applicant and the co-accused Ranjeet Mehra to suggest that they are making communication regarding any illegal activity or pertaining to any contraband. Admittedly, the accused/applicant and co-accused Ranjeet are stated to be distant relative of each other. Considering the relationship of the accused/applicant and co-accused Ranjeet, even if there is any mobile connectivity between them then same is natural being relative, specifically when there is no transcription of the alleged talks regarding the present offence between them. Admittedly, there is no financial link or connectivity of the accused/applicant with any of the co-accused persons. Moreover, there is no evidence in the present case that applicant is the supplier of any drugs or contraband. Admittedly, the accused/applicant was neither present at the spot from where contraband was recovered from the co-accused persons nor they had contacted the accused/applicant in any manner to deliver the alleged contraband.

It is relevant to mention here that as per case law Dalip Singh Vs. State (NCT of Delhi): 2019 SCC OnLine Del 6494, it is held that merely because the applicant and the other co-

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accused persons were in touch with each other, is no sufficient to establish the offence against the applicant. Moreso, it is well settled law that the evidentiary value of the CDR is a matter of trial and at the stage of consideration on an application for bail, court cannot enter into the appreciation of such material. Moreso, in another case law i.e. Phundreimayum Yas Khan V. State (NCT of Delhi), 2023 SCC OnLine Del 135, Hon'ble High Court of Delhi has held that in the absence of any other incriminating evidence, bail cannot be denied only on the basis of CDR of the accused persons. Further, in case law Deepak Nangia Vs. State (NCT of Delhi), 2023 SCC OnLine Del 5641 Hon'ble High Court of Delhi pleased to grant anticipatory bail, when the only incriminating evidence against the accused was the disclosure statement of the co-accused and CDR.

Admittedly, the applicant/accused is not involved in any other similar case. Considering the facts of the case and keeping in view the submissions, it is apparent from the investigation till date, prima facie there is no legally admissible evidence against the applicant/accused. Hence, the applicant/ accused is admitted to bail on furnishing bail bond in a sum of ₹30,000/- with one surety of the like amount and subject to the following conditions :

1. That the accused will not jump the bail and will appear in the court regularly.

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2. That the applicant shall provide his mobile number to the Investigating Officer and intimate about any change.
3. That accused shall not indulge into similar offence or any other offence in the event of release on bail.
4. That accused shall not tamper/influence any evidence/witness in any manner.
5. That in case of change of residential address, accused shall intimate the court about the same within a week.

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. Copy of the order be also sent to the concerned Jail Superintendent.

(SATVIR SINGH LAMBA)
ASJ/SPECIAL JUDGE (NDPS),
WEST DISTRICT, DELHI/04.04.2026