

SC 284/2025
STATE Vs. KAMAL SINGH AND ORS.
FIR no.267/2024
PS Crime Branch-West Delhi

03.02.2026

Pr: Sh. Subhash Chauhan, Ld. Chief PP for the State.
Ld. Counsel for the applicant/accused.

File perused. Heard.

This is an application filed on behalf of the applicant/accused Kamal Singh for grant of bail.

Reply has already been filed on behalf of the IO. Copy already supplied. Arguments heard. Clarifications sought.

It is submitted by Ld. Counsel that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that the applicant/accused was arrested in the present case on 24.12.2024 and since then he is in JC. It is further submitted that nothing was recovered from the possession of the accused/applicant and the alleged recovery is planted one. Ld. Counsel further argued that the alleged place of recovery is thickly populated area, however, no independent witness or public person was joined in the investigation proceedings. It is further submitted that the investigation has already been completed and chargesheet has already been filed and applicant/accused is no more required for further any custodial interrogation. It is further submitted that the co-accused Ashok

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Kumar & Irshad Sheikh @ Damru have already been granted bail in the present case by Hon'ble High Court of Delhi. With these submissions prayer is made for grant of regular bail on the ground of parity.

On the other hand, Ld. Chief P. P. for the state has strongly opposed the present bail application on the ground that commercial quantity of contraband has been recovered in the present case, therefore, there is bar u/s 37 of NDPS Act. Ld. Chief PP further submits that the applicant is the main accused in the present case. Ld. Chief P.P has prayed for the dismissal of the present bail application of the accused on the ground that the allegations and the role of the other co-accused persons, who are already on bail is different from the applicant/accused.

In the present case, allegations against the accused persons are under section 20/25/29 of NDPS Act for recovery of commercial quantity of contraband i.e. 21.6 Kg of Ganja. It is the case of the prosecution that on 23.12.2024, in pursuance of secret information a trap was laid near Kabad Godown, Gali no. 10, Deepak Vihar, Mohan Garden, Delhi and two persons namely Kamal Singh (applicant) and Ashok Kumar were apprehended with a Honda WRV Car bearing no. RJ-02 CD 6481. After compliance of due procedure recovery of 21.6 Kg of commercial quantity of ganja was recovered from the possession of the accused persons.

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During further investigation, upon tracking of the movement of the abovesaid car and on the basis of CCTV Cameras installed at the road stretched going towards Najafgarh Delhi from Uttam nagar, it is revealed that the abvoesaid car was seen parked on roadside. Thereafter, one scooty rider came near the car and was carrying trolley bag in the footrest of the scooty and delivered the said trolley bag to the co-accused Ashok Kumar. It is relevant to mention here that the said trolley bag is the same trolley bag, which was recovered in the present case. Further, the main source of the alleged contraband is revealed as one Rashid Khan S/o Manjur Khan, who is already declared as Absconder. Further, the FSL result of the seized contraband is positive and same is found to be Ganja. It is pertinent to mention here that the vehicle in question from which the alleged contraband is recovered in the name of accused/applicant. Further, the applicant/accused was driving the vehicle in question, from which the alleged commercial quantity of contraband is recovered, on the date of incident.

Moreso, the accused/applicant is involved in 25 other criminal cases, out of which three other cases are pertaining to NDPS Act. It is pertinent to mention here that the ground of parity raised in favour of the applicant/accused is not tenable in present case as the allegations and role of the said co-accused

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persons is distinct. No recovery was effected from the possession of the co-accused Irshad Sheikh. Moreover, the other co-accused persons were not involved in any other similar case.

The allegations against the accused/ applicant are serious in nature and there are apprehension that in case applicant/ accused is enlarged on bail, there are every chances of his fleeing from course of justice, tamper evidence or may coerce/influence witnesses of the case or may commit the offence again.

Hence, considering the facts of the case and seriousness of the allegations against the applicant/accused, no ground is made out for grant of bail to the accused, at this stage. Hence, the present application is dismissed being devoid of merit.

Nothing discussed herein-above shall have any bearing upon the merits of the case.

Copy of the order be given dasti, as prayed for. Copy of the order be also sent to the concerned Jail Superintendent for information.

(SATVIR SINGH LAMBA)
ASJ/SPECIAL JUDGE (NDPS),
WEST DISTRICT, DELHI/03.02.2026