

SC 286/2025
STATE Vs. ASIF AND ANR
FIR no. 167/2025
PS Hari Nagar

30.10.2025

Pr: Ld. Substituted Addl. PP for the State.
Ld. Counsel for the applicant/accused.

File perused. Heard.

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

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

It is submitted by the Ld. Counsel that the applicant/accused is innocent and has been falsely implicated in the present case and he has nothing to do with the alleged offence. It is further submitted that the applicant/accused is fruit vendor and striving to build a promising future with hard work. It is further submitted that the applicant was merely accompanying his friend and co-accused Ritik upon his casual request, without any knowledge, involvement or participation in the alleged offence. It is further submitted that nothing incriminating has been recovered from the possession of the applicant/accused. It is further submitted that the alleged recovery is of intermediate quantity, therefore, bar u/s 37 of NDPS is not attracted in the present case. It is further submitted that the FSL Report has also

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been received. It is further submitted that the investigation has already been completed and chargesheet has already been filed in the present case. It is further submitted that the applicant/accused is having clean antecedents and he never involved in any criminal activity. With these submissions, prayer is made for grant of bail.

On the other hand, Ld. Substituted Addl. PP for the state has strongly opposed the present bail application of the accused on the ground that the allegations against the accused are serious in nature.

Brief facts of the case are that on 24.04.2025 applicant along with the co-accused Ritik were apprehended on the basis of secret information and a white colour bag containing 1.107 Kg of Ganja and 530 grams of hybrid ganja were recovered from their possession. The amount of contraband recovered in the present case is of intermediate quantity, therefore, bar u/s 37 of NDPS is not made out in the present case. Applicant is in the custody in the present case since 25.04.2025. Investigation of the case has already been completed and chargesheet has already been filed. FSL Result also received. Further, the accused/applicant is not having involvement in any other criminal case.

Considering the facts of the case and keeping in view the submissions & period of incarceration, applicants/accused persons are admitted to bail on furnishing bail bond in a sum of

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₹30,000/- each with one surety of the like amount and subject to the following conditions :

1. That the applicants shall provide his mobile number to the Investigating Officer and intimate about any change.
2. That the applicants will not jump the bail and will appear in the court regularly.
3. That applicants shall not indulge into similar offence or any other offence in the event of release on bail.
4. That applicants 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/30.10.2025