

SC 545/2025
STATE Vs. SAHROJ KHAN AND ANR
FIR no. 218/2025
PS Crime Branch-West Delhi

13.03.2026

Pr: Ld. Substituted Addl. PP for the state
Ld. Counsel for the applicant/accused
IO SI Amit in person

File perused. Heard.

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

Reply filed on behalf of the IO. Copy supplied.

Arguments heard. Clarifications sought.

It is argued by the Ld. Counsel that the applicant/ accused is innocent and has been implicated in the present false case. It is further submitted that applicant was arrested on 19.08.2025 and since then he is in JC. It is further submitted that nothing incriminating was recovered from the applicant/accused and the alleged recovery is planted one. It is further contended that the applicant/accused was not arrested from the alleged place, instead he was apprehended from a different place. It is further submitted that the alleged recovery of the contraband in the present case is of intermediate quantity, therefore, section 37 of the NDPS Act is not applicable in the present case. Ld. Counsel further contended that the version of the police is highly doubtful and appears to be a case of planted recovery and fabricated arrest.

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It is further submitted that the charge-sheet has already been filed in the present case and the trial of the case will take more considerable time to conclude. 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 of the applicant/ accused on the ground that the allegations against the accused are serious in nature. It is further argued that the possibility of tempering of evidence and influencing of witnesses and fleeing away from the justice cannot be ruled out in case accused/applicant is admitted on bail. IO further submits that bail application of co-accused is also pending before Hon'ble High Court.

Brief facts of the case are that on 18.08.2025 on receipt a secret information the accused/applicant and the co-accused Faizal were apprehended and 203 grams of Smack/Heroin was recovered from the applicant/accused. Thereafter, the present case was registered and further investigation was carried out. On the basis of disclosure statement of accused/ applicant and co-accused Faizal, it is revealed that they were working together and came to Delhi for supplying the drugs Heroin/Smack to Lala of Sultanpur and Monu of Khyala, on the instructions of one Arsad. Thereafter, CDR of mobile of accused persons were analysed and same corroborated their mobile connectivity. Meaning thereby, both the accused persons are involved in the alleged criminal

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conspiracy as they were in regular touch with each others & had made number of calls to each other. Moreso, as per the version of prosecution, both the accused persons were apprehended from the same spot, when they came at the abovesaid spot to deliver the contraband.

The accused/applicant is charge-sheeted for the offences u/s 21/29 NDPS Act. Perusal of record reveals that previous bail applications were dismissed by Sessions Court on 25.10.2025 and 22.01.2026. There is no change in the facts and circumstance of the case, after dismissal of previous bail applications of the accused/applicant. Therefore, considering the facts & circumstances of the case as well as keeping in view the nature & gravity of the allegation against the applicant/ accused, the present application is dismissed, at this stage.

Nothing stated hereinabove shall tantamount to any expression of opinion on 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/13.03.2026