

Bail Matter 1371/2026
FIR No.157/2026
State of Delhi Vs. Mohit
PS Timar Pur

10.07.2026

Present: Sh. K. P. Singh, Ld. Addl. PP for State.
Sh. Pranay Abhishek, Ld. Counsel for
accused/applicant (*through V/C*).

1. Reply has already been filed by the IO. Copy has already been supplied.

2. By way of the present application, the applicant/accused namely Mohit S/o Sh. Rakesh seeks grant of regular bail in the subject FIR, registered under the relevant provisions of NDPS Act, PS Timar Pur, Delhi.

3. Ld. Counsel for the applicant/accused submits that the applicant/accused has been falsely implicated in the instant FIR and that the alleged recovery has been planted upon him. It has been argued on behalf of the applicant/accused that for the sake of arguments, if it is admitted that the accused was apprehended at the spot, as has been claimed by the prosecution, then admittedly only '*1.152 KG*' of suspected contraband/Ganja is alleged to have been recovered from his possession, and which, indisputably is 152 Grams just above '*small quantity*' of the contraband, in terms of relevant provisions of NDPS Act. It has been submitted on behalf of the accused/applicant that investigation of the subject FIR has since been completed and therefore, no purpose would be served in keeping the accused

behind Bars any further. It has been submitted that the accused/applicant is in custody since 27.04.2026 and more than two months have elapsed since he is in custody. On the basis of the above submissions, it has been prayed that the accused/applicant may also be admitted to bail.

4. On the other hand, Ld. Addl. PP for the State has opposed the bail application by submitting that approximately 1152 Grams of suspected Contraband/Ganja was recovered from the possession of the applicant/accused, which is 'intermediate quantity'. He submits that though the bar of Section 37 of NDPS Act is not attracted in the facts of the subject FIR, however, keeping in view the fact that prior to the apprehension of the accused/applicant, in the subject FIR, the accused/applicant was also involved in one case pertaining to NDPS Act, which was lodged at PS Prashant Vihar in the year-2024. On the basis of above submissions, it is prayed on behalf of the State that the instant bail application be dismissed.

5. Submissions heard. Record perused.

6. In the present case, even if the allegations of the prosecution are accepted at its face value, only 'intermediate' quantity of the contraband, which is marginally (*152 Grams*) above the small quantity, is alleged to have been recovered from the possession of/at the instance of applicant/accused. The investigation of the subject FIR has since been concluded. A large number of witnesses have been cited by the prosecution and therefore, the trial of the subject FIR is likely to take

considerable amount of time and therefore, no purpose would be served in keeping the accused behind Bars.

7. In view of the above discussion, especially considering the fact that the accused/applicant is in custody since 27.04.2026, that around 1152 Grams of contraband/Ganja, which is just above small quantity has been allegedly recovered, the instant bail application of the applicant/accused namely Mohit S/o Sh. Rakesh stands allowed and he is admitted to bail on furnishing personal bond in the sum of Rs.30,000/- with one local surety in the like amount and subject to the following conditions that: -

(i) That applicant/ accused shall not, directly or indirectly, make any inducement, threat or promise to the complainant or any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(ii) That applicant/ accused shall upon his release provide his mobile number to the IO/ SHO and keep his such mobile 'Switch On' at all times.

(iii) That applicant/ accused shall intimate to the IO/ SHO about any change in his mobile number or address;

(iv) The applicant/ accused will not influence the witnesses nor tamper with any evidence;

(v) That applicant/ accused shall not leave the country without permission of the Court;

(vi) That applicant/ accused shall appear on each and every date of hearing before the Court.

In the event of lodgement of any FIR/Case

against the accused/applicant, pertaining to NDPS Act, it shall be open to the State to seek redressal by filing an application seeking cancellation of bail.

Application stands disposed of accordingly.

The observations made on the merits of the case are purely for the purposes of deciding the present bail application and shall not be construed as expression upon the merits of the case.

Copy of the order be given dasti to the IO as well as to the Ld. Counsel for applicant/ accused and be communicated to the applicant/ accused through Jail Superintendent for information.

(PUNEET NAGPAL)
Special Judge, NDPS,
Central,THC, Delhi/10.07.2026