

**IN THE SPECIAL COURT FOR NARCOTIC DRUG AND PSYCHOTROPIC
SUBSTANCES ACT, 1985, AT GR. BOMBAY**

ORDER BELOW EXHIBIT NO.05

(Bail Application)

IN

SPECIAL CASE NO.918 OF 2026

Mohd. Faisal Mohd. Khalil Quraishi .. Applicant/accused

Versus

The State of Maharashtra
(At the instance of **Dr. D.B. Marg**
Police Station)

.. Respondent/Prosecution

Appearance :-

Mr. Salma Shaikh, Advocate for applicant/accused.

Mr. Shankar Erande, APP for State/Respondent.

**CORAM : R. K. DESHPANDE, SPECIAL JUDGE
COURT ROOM NO.43**

DATE : 01st JULY, 2026

ORAL ORDER

Applicant/accused **Mohd. Faisal Mohd. Khalil Quraishi**, has filed this application under section **483** of the BNSS, 2023 for seeking regular bail in Crime No.**449 of 2026**, registered with Dr. D. B. Marg police station, for the offence punishable under section **8(c)** read with section **22(b)** of the NDPS Act.

2. It is the case of applicant that he is falsely implicated in this case and he has deep roots in the society. There is non compliance of section **42** of the NDPS Act. Moreover, contraband seized from him is non commercial quantity. Therefore, rigors of section **37** of the NDPS

Act, is not applicable to him. There is non compliance of Section **50** of the NDPS Act. He has no any criminal antecedent and he is ready to abide by all the conditions imposed by this Court. This is the second bail application filed by him as his first bail application was rejected prior to filing of the chargesheet. However investigation of this crime is completed and Investigating officer has filed chargesheet in this crime. By mentioning certain other points, at last applicant/accused has prayed for releasing him on bail.

3. On the other hand, Investigating Officer has filed reply on record and opposed the present application on various grounds. Investigating officer submitted that accused has committed very serious nature of offence. In such situation, if accused is released on bail then possibility of threatening the witnesses cannot be ruled out. Therefore bail cannot be granted.

4. In the light of submission advanced before this Court, I have carefully gone through the record. Record shows that on **27/03/2026**, applicant/accused was arrested in this crime and since then he is in jail. The alleged quantity of Mephedrone (MD) appears to be less than commercial quantity and hence, there is no bar to release applicant on bail under section **37** of the NDPS Act. Investigation is completed and accordingly, on **25/05/2026**, chargesheet is filed in this crime. Nothing is on record to show that applicant/accused is having any criminal antecedent prior to committing the alleged offence. In such situation, looking to the facts and circumstances available on record coupled with the undertaking given by the applicant/accused in respect of his readiness and willingness to abide all terms and conditions if any,

imposed by this Court, this Court is inclined to allow present application and proceed to pass following order.

ORDER

1. Bail Application **Exh.5** is allowed.
2. Applicant/accused **Mohd. Faisal Mohd. Khalil Quraishi**, shall be released on bail in connection with **Crime No.449 of 2026** registered with **Dr. D. B. Marg** police station, for the offence punishable under section **8(c)** read with section **22(b)** of the NDPS Act, on execution of P.R. Bond in the sum of **Rs.50,000/-** (Rupees Fifty Thousand only) with one or two solvent sureties of the like amount on following conditions :
 - [i] In addition to above-said bond, applicant/accused shall deposit amount of **Rs.10,000/-** (Rupees Ten Thousand only) in the Court towards cash security.
 - [ii] Applicant shall not tamper with prosecution evidence or pressurize the complainant and witnesses in any manner whatsoever.
 - [iii] Applicant shall give declaration of place of his residence and shall file the proof of residence, both present and permanent on record along with contact number of his two close relatives within the period of **seven days** from the date of his release on bail.
 - [iv] Applicant shall not contact the informant or any of the witnesses by any other mode of communication and shall not try to influence them.
 - [v] Applicant shall attend the Court regularly on each and every date.
 - [vi] Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court to any police officer.
 - [vii] Applicant shall not repeat the offence or commit any other offences.

[viii] Applicant shall comply with Chapter-I, Paragraphs 1 to 6 of the Criminal Manual, 1980. (In view of order of the Hon'ble Bombay High Court passed in Criminal Application No.28 of 2010 in Public Interest Litigation No.25 of 2010 on January 29, 2020).

3. If breach of any of the above conditions committed then Investigating Officer has liberty to move the application for cancellation of bail before this Court.

4. The soft copy of this order shall be sent to the applicant/accused by email through the concerned Jail Superintendent as per direction of The Hon'ble Supreme Court of India, in the case of In Re Policy Strategy for grant of bail in SMWP (CRIMINAL) No.4/2021 dated 31.01.2023.

5. Intimate to the concerned police station accordingly.

6. Bail application is accordingly disposed of.

Date : 01.07.2026



(R. K. Deshpande)
Special Judge, N.D.P.S.
Court Room No.43,
City Civil & Sessions Court,
Gr. Bombay

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER”		
UPLOAD DATE	TIME	NAME OF STENOGRAPHER
01.07.2026	5.45 p.m.	Shilpa P. Pawar Stenographer (Grade-I)
Name of the Judge		H.H.J. R. K. Deshpande NDPS Spl. Judge (C.R.No.43)
Date of Pronouncement of Order		01.07.2026
Order signed by PO on		01.07.2026
Order uploaded on		01.07.2026