

MHCC020120282024



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

**ORDER BELOW EXHIBIT-9
(BAIL APPLICATION)**

IN

NDPS SPECIAL CASE NO. 1618/2024

**Dilnavaz Mohammed Salim Khan @ .. Applicant/Accused
Muntazir**

V/s.

**The State of Maharashtra .. Respondent/Prosecution
(Through Shivaji Nagar police station)**

Appearance :

Ld. Adv. Khan for the applicant/accused.

Ld. APP Mr.Shankar Erande for the respondent/prosecution.

**CORAM : H.H. J. SHRI U.C. DESHMUKH
ADDL. SESSIONS JUDGE (C.R.43)**

DATE : 28/05/2026

ORDER

This is an application moved by the applicant/accused **Dilnavaz Mohammed Salim Khan @ Muntazir** under Section 483 of BNSS, 2023 to release him on bail in C.R. no.228/2024, registered with Shivaji Nagar Police Station, Mumbai for the offence under Sections 8(c) r/w Section 22 of the NDPS Act, 1985 (in short 'the Act').

2. It is submission of the Ld. advocate for the applicant/accused that this is the 2nd bail application moved on behalf of the applicant/accused. His earlier bail application was rejected. However, now this application is filed on the ground of long incarceration of the applicant/accused as prosecution failed to file FSL report on record. Therefore, applicant be released on bail.

3. Ld. APP submits that there is no change in circumstances. Hence, application be rejected.

4. On 21/03/2024 Shivaji Nagar police left the police station for surveillance duty. At about 02.10 am applicant/accused found in suspicious condition at Kamla Raman Nagar, in front of Sunehara steel, near Mohamadiya Masjid, Govandi, Mumbai. holding black colour plastic bag in his hand. On suspicion he was apprehended. 13 sealed bottles having Codeine Phosphate & Triprolidine Hydrochloride Syrup 100 ml, New PLENCYREX COUGH Syrup was found in possession of the present applicant/accused.

5. Ld. advocate for the applicant/accused has relied upon the decision of the Hon'ble Apex Court in Rajadurai Vs. The State of Tamil Nadu [Petition for Special Leave to Appeal (Crl.) No.4729/2026 (Arising out of the impugned final judgment and order dated 23/01/2026 in CRLOP(MD) No.11505/2025 passed by the High Court of Judicature at Madras at Madurai], the applicant therein was in judicial custody for more than 1 year and no witness has been examined on behalf of the prosecution. Earlier bail application was rejected on the ground that rigors of Section 37 were attracted. There is prima-facie case against the applicant to charge and try the case. If the applicant is

released on bail he may pressurize the witnesses of the prosecution. In such circumstances, it has to see what would be the change in circumstance after rejection of earlier bail application.

6. The charge against the applicant/accused has been framed on 28/11/2025. The applicant/accused had moved before the Hon'ble Court to grant bail vide B.A. No.2042/2025, which has been rejected on 07/11/2025. The Hon'ble High Court has directed this Court to expedite the trial. The copy of the said order is filed by the applicant alongwith this application. However, previously no such order was placed before the Court at the instance of the applicant. Thus, this Court was not made aware about order passed by the Hon'ble High Court. Now, considering the order of the Hon'ble High Court this case can be decided expeditiously. Thus, there is no change in circumstance after rejection of the bail application of the applicant. Hence, there is no merits in the application. It deserves to be rejected with following order-

ORDER

- (i) Bail Application at Exh.9 in Special Case no.1618/2024 moved by the applicant/accused **Dilnavaz Mohammed Salim Khan @ Muntazir** stands rejected

Date : 28/05/2026



(U. C. DESHMUKH)
N.D.PS Special Judge
City Civil & Sessions Court,
Gr. Bombay (CR.43)

Signed on : 28/05/2026

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER”		
UPLOAD DATE	TIME	NAME OF STENOGRAPHER
28/05/2026	04:28 p.m.	Kishor P. Sherwade (Stenographer Grade-I)
Name of the Judge		H.H.J. U. C. Deshmukh NDPS Spl. Judge (C.R.No.43)
Date of Pronouncement of Judgment/Order.		28/05/2026
Judgment/order signed by PO on		28/05/2026
Judgment/order uploaded on		28/05/2026