



\$~12

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.A. 7/2026**

JAVED

.....Appellant

Through: **Mr. Amit Kumar Gupta, Adv.**

versus

STATE GOVT NCT OF DELHI

.....Respondent

Through: **Ms. Meenakshi Dahiya, APP for
State alongwith Ms. Vanshika
Singh and Ms. Divya Bakshi, Advs.**

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **05.01.2026**

CRL.M.A. 145/2026 (*for exemption*)

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.A. 7/2026

3. The appellant, *vide* the present appeal under *Section 415(2)* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (***BNSS***) [erstwhile *Section 374(2)* of the Code of Criminal Procedure, 1973 (***Cr.P.C.***)] seeks to challenge the order on conviction dated 10.10.2025 as also the order on sentence dated 28.10.2025 passed by learned ASJ-02, Special Judge (NDPS), East, Karkardooma, Delhi in Case No.932/2016 arising out of FIR No.108/2015 registered at PS : Crime Branch, Delhi under *Sections 20/25/29* of the Narcotic Drugs And Psychotropic Substances Act, 1985 (***NDPS Act***) whereby the appellant has been convicted for the offence



under *Section 20(b)(ii)(c)* of the NDPS Act and sentenced to undergo Rigorous Imprisonment for a period of *ten years* alongwith a fine of Rs.1,00,000/- and in default of payment of fine, to undergo Simple Imprisonment for *six months*.

4. For the reasons stated therein, Admit.
5. Issue notice.
6. Learned APP for the State accepts notice.
7. List this appeal in due course in the category of '*Regulars*' as per the year of its seniority.

CRL.M.(BAIL) 7/2026 (*for suspension of sentence*), **CRL.M.A. 146/2026** (*Exemption from deposit of fine amount till release of appellant on bail*)

8. The appellant, *vide* the application being *CRL.M.(BAIL) 7/2026* under *Section 430* read with *Section 528* of BNSS (read with *Section 389(1)* and *Section 482* of the Cr.P.C.) seeks suspension of sentence and grant of bail during the pendency of the present appeal. The appellant, *vide* the application being *CRL.M.A. 146/2026* under *Section 528* of BNSS read with *Section 482* of Cr.P.C. seeks exemption from deposit of fine amount till release of the appellant on bail.

9. Learned counsel for the appellant submits that the appellant has already undergone a substantial period of sentence out of the total sentence awarded to him.

10. Issue notice.

11. Learned APP for the State accepts notice. He seeks, and is granted, a period of *four weeks* to file the Status Report precisely mentioning the period of sentence already undergone by the appellant out of the total sentence awarded to him.



12. Let the latest Nominal Roll of the appellant be also requisitioned from the concerned Jail Superintendent within the aforesaid period of *four weeks*.
13. Renotify on 02.03.2026.
14. In the meanwhile, the Trial Court record in digitalized form be requisitioned from the Trial Court.

SAURABH BANERJEE, J

JANUARY 5, 2026/So