

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 844/2026

Chirag Rawal S/o Shri Soma Ji Rawal, Aged About 22 Years, R/o Village Katewadi, Post/tehsil Kherwada, Udaipur (Raj.).
(Presently Confined In Central Jail, Jaipur).

-----Petitioner

Versus

Union Of India (Ncb), Through Special Pp

-----Respondent

For Petitioner(s)	:	Mr. Rajveer Singh Gurjar
For Respondent(s)	:	Mr. Tej Prakash Sharma, Special PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

04/05/2026

1. The present bail application under Section 483 of BNSS is filed by the applicant-accused **Chirag Rawal S/o Shri Soma Ji Rawal** seeking bail in respect of a criminal case registered as FIR No.VII(IO)05/NCB/JPZU/2025 dated 21.04.2025 registered at P.S. NCB District Jaipur Reigonal, for the offence under Sections 8/22, 8/23 and 8/29 of NDPS Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the matter and the investigation against him is complete and he is no more required in investigation. He further submits that there are no chance of fleeing of applicant accused from the jurisdiction of this Hon'ble Court. The applicant does not have any criminal antecedents. He also submits that the

applicant undertakes not to repeat offence and cooperate with trial, which will take time.

3. Learned counsel for petitioner submitted that the petitioner was caught when he was receiving parcel on behalf of his brother Shivendra Rawal. He further submitted that this parcel was booked in the name of Vikram and petitioner has no connection with content of alleged parcel. He also submitted that the sample was examined by Central Revenue Control Laboratory, New Delhi and it has opined that contraband article is methylene-dioxymethamphetamine (MDMA). He also submitted that the Schedule under the NDPS Act has specifically provided methylene as beta-keta MDMA and small quantity is 7.5 gram, whereas commercial quantity is 375 gram. He also submitted that the petitioner is an innocent person as he is not having any knowledge about the content of parcel.
4. Learned Special Public Prosecutor has vehemently opposed the bail application and submitted that the allegations are grave and serious in nature.
5. Heard learned counsel for the petitioner-accused and learned Special Public Prosecutor. Perused the material placed on record by both the parties.
6. After receiving a report about suspected parcel bearing tracking number CY2888449826, a team was constituted by CBN which checked the parcel. The team found that the MDMA tablets total weight 150.10 gram were sent through the parcel. To collect delivery, present petitioner visited FPO on 23.04.2025. The petitioner was detained and in

interrogation he revealed that he came to collect parcel in the name of his brother Shivendra Rawal. On the basis of information and recovery, FIR/complaint was registered. Present petitioner was arrested and currently he is in custody. The CBN has also filed a complaint before learned Special Judge.

7. The FSL report of the sample indicates that the sample gives positive test for methylene-dioxymethamphetamine (MDMA). A copy of report is submitted by learned counsel for the petitioner. A reference is made about Entry No. 238-O of NDPS Act which reads as under:

				Small	Comm- ercial
238-O	Methylone	Beta-Keto-MDMA	(RS)-2-methylamino-1-(3,4-methylenedioxyphenyl)propan-1-one	7.5gm	375gm

8. CRCL has revealed that the recovered contraband is methylene-dioxy-methamphetamine (MDMA). When we searched methylone and methamphetamine, then methamphetamine is used for high addiction purpose. Methylone features a beta-keto group and methylene-dioxymethamphetamine leads to gradual short effect compared to methamphetamine inducing longer duration effect. The identified compound methylene-dioxymethamphetamine is commonly known as “ecstasy” or “molly”. It is chemically related to methamphetamine but includes methylene-dioxy ring.
9. Here in this case, the statement of witnesses (recorded during investigation) indicate that on earlier occasion, similar

type of parcels were received by a person and this parcel was in the name of Vikram Chauhan. The petitioner was arrested on 24.04.2025 and day before his statement was recorded. It is further mentioned that there is no other criminal case against the petitioner, but learned trial court, after considering the content of contraband substance, has ruled that the recovered quantity of methylene-dioxymethamphetamine (MDMA) is commercial and provisions under Section 37 of NDPS Act are applicable.

10. In case of **State of Meghalaya vs Lalrintluanga Sailo reported as 2024 INSC 537**, Hon'ble Supreme Court, after considering several judgments, has laid down that the twin conditions of Section 37 of NDPS Act have to be satisfied before release of accused on bail. In case of **Union of India vs. Ajay Kumar Singh, 2023 SCC OnLine SC 346**, Hon'ble Supreme Court, considering the provisions of Section 37 of NDPS Act, has cancelled the bail granted by the High Court.
11. Here in this case, the recovered contraband is semi-synthetic compound and having similarity with methamphetamine. The popular consumers of this drug are young adults and teenagers. Having taken note of the manner in which crime has been committed and how the contraband has been procured, I am of the considered view that this is a matter of very serious nature and, in such eventuality, we are not inclined to accept the contention that recovered drug is classified under Entry 238-O of Schedule under the NDPS

Act. In view of the discussion made hereinabove, no case is made out for grant of bail to the petitioner.

12. The facts and the material indicate that the alleged offence are of serious nature and role attributed to applicant is prima facie sufficient to consider complicity of applicant in the crime. Therefore, at this juncture, considering the evidence collected so far, this is not a fit case to enlarge the applicant accused on bail.
13. Considering the gravity of allegations and overall facts and circumstances of the case, it is appropriate to dismiss the bail application of the applicant accused at this stage.
14. Accordingly, the application for bail filed under Section 483 of BNSS preferred by **Chirag Rawal S/o Shri Soma Ji Rawal** is hereby dismissed.

(ASHOK KUMAR JAIN),J