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

+ **BAIL APPLN. 3334/2025, CRL.M.A. 26009/2025**

SUBHASH BHATI

.....Petitioner

Through: Mr. Aditya Aggrawal and Ms. Kajol
Garg, Advocates.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

24.09.2025

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1. Second Bail Application under Section 483 of BNSS has been filed on behalf of the Applicant for grant of Regular Bail in case FIR No.0261/2023 under Sections 20/29 NDPS Act, registered at Police Station: Crime Branch, Delhi.
2. It is submitted in the Application that his Regular Bail Application was dismissed by the learned Trial Court on 14.05.2024. He, thereafter, filed Bail Application before this Court, which was also dismissed vide Order dated 22.04.2025.
3. The facts of the case are that on 29.10.2023, on secret information received, a raiding party was constituted, who apprehended Parvez @ Bhoora, who was in possession of 108 Kg. Ganja. On his disclosure statement co-accused Gautam, Usmaan and Shuaib @ Bundu were apprehended. On disclosure statements of Parvez @ Bhoora and other co-accused, Subhash Bhati (Applicant) was arrested on 01.11.2023 and was sent to police remand for 02 days.



4. Parvez @ Bhoora has already been granted Regular Bail vide Order dated 21.08.2025 passed by Co-ordinate Bench of this Court. Therefore, Regular Bail is sought on the ground of parity with co-accused Parvez @ Bhoora. Furthermore, it is submitted that except disclosure statements, there is no other incriminating evidence against the Applicant.
5. The Applicant has also filed a Writ Petition under Article 226 of the Constitution of India read with Section 528 BNSS / 482 Cr.P.C. for quashing of arrest memo of the Applicant dated 01.11.2023, whereby, he was arrested in the present case.
6. It is submitted that the Applicant has clean past antecedents. He is sole breadwinner of his family and belongs to a poor stratum of society.
7. Bail is sought on the aforesaid grounds.
8. **Status Report** has been filed on behalf of the State, wherein details of investigations leading to filing of the Chargesheet have been given. It is submitted that the Applicant used to facilitate co-accused persons to get the parcels of contraband released easily and used to receive Rs.10000/- per consignment/parcel, from the accused Usman. Statements of bank accounts linked with UPI/Mobile Number of the Applicant have been detailed therein.
9. It is further submitted that the analysis of Bank statements, which have been mentioned in the Status Report, confirmed the involvement of the Applicant in facilitating the receipt of the parcel of contraband.
10. The Chargesheet already stands filed in the Court on 20.04.2024 and the next date for framing of charge is 06.10.2025. Certified copies of relevant Bank Account Statements/CDRs/CAFs have been filed through Chargesheet/ Supplementary Chargesheet. Recovery of 108 Kg. Ganja was made, which is commercial quantity and thus rigours of Section 37 of NDPS Act are



applicable.

11. Reliance has been placed on **NCB vs. Mohit Aggarwal, CRL.A. Nos.1001-1002/2022** arising out of SLP(CRL) No.6128-29/2021. It is submitted that drug menace is affecting the entire society and is especially attracting the young generation and also affecting the economy of the County and illicit money is being used for drug trafficking.

12. It is a serious offence showing the involvement of the Applicant along with other co-accused persons. **Bail is therefore, opposed.**

Submission heard and record perused.

13. Admittedly, no recovery was affected from the Applicant and he was arrested only on the basis of disclosure statement of Parvez @ Bhoora, who has already been granted Regular Bail by Co-ordinate Bench of this Court.

14. The Applicant is in judicial custody since 01.11.2023. The Chargesheet has already been filed and the co-accused have already been admitted to bail. There are 26 prosecution witnesses and trial is still to commence and is likely to take long.

15. Considering his incarceration, totality of the facts and circumstances and that the trial is likely to take long, the Applicant/Accused is granted Regular Bail, on the following terms and conditions:

- a) The Applicant/Accused shall furnish a personal bond of Rs.35,000/- and one surety of the like amount, subject to the satisfaction of the learned Trial Court;
- b) The Applicant/Accused shall appear before the Court as and when the matter is taken up for hearing;
- c) The Applicant/Accused shall provide his mobile number/changed mobile number to the IO concerned which shall



be kept in working condition at all times;

- d) The Applicant/Accused shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses; and
- e) In case the Applicant/Accused changes his residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.

16. The copy of this Order be communicated to the concerned Jail Superintendent, as well as, to the learned Trial Court.

17. The Bail Application is accordingly disposed of. Pending Application, if any, also stands disposed of.

NEENA BANSAL KRISHNA, J.

SEPTEMBER 24, 2025/R