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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 05th October, 2026**# **CNR No. DLHC010280762026**+ **BAIL APPLN. 2496/2026****JITENDER SINGH**

.....Applicant

Through: Ms. Mamta Wadhwa, Advocate
(through VC)

versus

STATE THROUGH SHO PS SPECIAL CELL DELHI

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP for
State
SI Amit Kumar, PS Special Cell**CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J. (Oral):**

1. The present application has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), corresponding to Section 439 of the Code of Criminal Procedure, 1973 ("CrPC"), seeking the grant of regular bail to the applicant, i.e., Sh. Jitender Singh S/o Sh. Darshan Singh, in connection with the proceedings arising from the First Information Report ("FIR") being *FIR No. 287/2023* dated 03rd December, 2023, registered at Police Station ("PS") Special Cell, Delhi, under Sections 21/29 of the Narcotics Drugs and Psychotropic Substances Act, 1985 ("NDPS Act").
2. The case being *SC 204/2024*, in respect of the aforesaid FIR, is



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pending adjudication before the Additional Sessions Judge/Special Judge, NDPS Act, Patiala House Courts, New Delhi, and is presently at the stage of prosecution evidence.

3. A Chargesheet dated 20th May, 2024, as well as a Supplementary Chargesheet have been filed by the concerned Investigating Officer (“IO”) before the Trial Court.

4. The applicant had previously moved two bail applications before the Trial Court, being *IA 9/2025* and *IA 13/2026*, which were dismissed *vide* orders dated 26th November, 2025, and 12th May, 2026, respectively.

5. The case of the prosecution, as culled out from the material on record, is as follows:

5.1. On 03rd December, 2023, a secret informant arrived at PS Special Cell and informed a police official that one Sh. Siya Ram and his associate were in possession of narcotic drugs prohibited under the NDPS Act, and would arrive at Kashmere Gate and Sarai Kale Khan between 09:00 AM and 11:00 AM that day. The informant further stated that an immediate raid could lead to the apprehension of both accused persons.

5.2. Thereafter, a raiding team comprising of police officials of PS Special Cell was constituted. On the basis of further information, the raiding team arrived at Akshardham Metro Station Bus Stand (“Bus Stand”), Delhi, to apprehend the accused persons.

5.3. At about 11:15 AM, two persons, who were carrying black sling bags, deboarded from a private bus near the Bus Stand. The secret informant identified the persons, and after they boarded an auto rickshaw, the raiding team intercepted them.

5.4. A total amount of 3,407 grams of opium was recovered from the



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accused persons. Sh. Siya Ram was found in possession of two polythene bags containing 1,476 grams and 1,172 grams of opium, respectively, while his associate, namely, Sh. Dinesh, was found in possession of a polythene bag containing 759 grams of opium. Consequently, *FIR No. 287/2023* was registered at the instance of Assistant Sub-Inspector (“ASI”) Pradeep Kumar.

5.5. During the course of investigation, the police received information regarding the present applicant and subsequently arrested him on 02nd April, 2024, as he was intended to be the recipient of the recovered narcotic drugs. It is alleged that the applicant, along with his associate, namely, Sh. Vikram, used to deposit money in the bank accounts of Sh. Siya Ram and others for the purpose of procuring drugs.

6. Learned counsel appearing for the applicant informs this Court that three co-accused persons in connection with the present FIR have already been granted bail.

7. She submits that one of the co-accused persons, namely, Sh. Guman Linda, was the main source of the narcotic drugs, i.e., opium, in the present case, and that he had supplied the said drugs to Sh. Siya Ram and Sh. Dinesh.

8. She further submits that as per the disclosure statements made by Sh. Siya Ram and Sh. Dinesh, the narcotic drugs that were in their possession were to be supplied to the applicant. However, no recovery was made from the applicant as such.

9. Learned Additional Public Prosecutor (“APP”) appearing for the State confirms the fact that the other co-accused persons have already been granted bail.



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10. He, however, submits that large sums of money have been deposited by the applicant in the bank accounts of Sh. Siya Ram as well as his son, i.e., Sh. Ajit Kumar.

11. He further submits that the voice samples of the main source, i.e., Sh. Guman Linda, and the applicant, which were obtained through intercepted mobile calls, have also been verified.

12. Having heard learned counsel appearing for the parties, this Court notes the fact that investigation in the matter is already complete, and the Chargesheet as well as the Supplementary Chargesheet have already been filed. Further, charges have also been framed by the Trial Court *vide* order dated 05th July, 2025.

13. As per the Nominal Roll dated 17th September, 2026, provided by the concerned Jail Authorities, the applicant has been in custody since 02nd April, 2024, i.e., for more than two years.

14. This Court also takes note of the fact that the main accused person from whom the drugs were procured, i.e., Sh. Guman Linda, has already been granted bail.

15. Further, the co-accused persons, namely, Sh. Siya Ram and Sh. Dinesh, from whom opium was recovered, have also been granted bail.

16. Accordingly, considering the facts and circumstances of the present case and on the ground of parity, as the other co-accused persons have already been granted bail, this Court finds no impediment in granting regular bail to the applicant.

17. Accordingly, the applicant is directed to be released on regular bail in connection with *FIR No. 287/2023* dated 03rd December, 2023, registered at PS Special Cell, Delhi, under Sections 21/29 of the NDPS Act, subject to the



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applicant furnishing a personal bond in the sum of Rs. 50,000/- along with one surety of the like amount to the satisfaction of the Duty Magistrate/Trial Court, and subject to the following further conditions:

- a. The applicant shall appear before the Trial Court on each and every date of hearing;
 - b. The applicant shall provide his permanent address to the IO, as also the address where he is residing during the pendency of the case. The applicant shall intimate the IO, and file an Affidavit before the Trial Court regarding any change in residential address;
 - c. The applicant shall provide his mobile number to the concerned IO/Station House Officer (“SHO”), which shall be kept in working condition at all times. The mobile number shall not be switched off or changed without prior intimation to the IO during the pendency of the trial;
 - d. The applicant shall report to the jurisdictional PS on first Monday of each month at 09:00 AM, and shall be released, within two hours after completion of formalities;
 - e. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever. The IO is directed to monitor the situation and, in the event of any complaint being made, to inquire into the same in accordance with law;
 - f. The applicant shall not commit any offence during the period of his release.
18. It is clarified that any observations made in the present order are



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solely for the purpose of deciding the present bail application, and shall neither influence the trial proceedings, nor be construed as an expression of opinion on the merits of the case.

19. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.

MINI PUSHKARNA, J

OCTOBER 5, 2026

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