



2025:DHC:6329



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

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Date of Decision: 01.08.2025+ **BAIL APPLN. 2872/2025 & CRL.M.A. 22350/2025**

SAHIL ARORA

.....Petitioner

Through: Mr. Shekhar Nanavaty, Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State
with IO/SI Rajinder**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 617/2025 of PS Hari Nagar for offence under Section 20/25/29 NDPS Act. Broadly speaking, the case set up by prosecution is that two persons namely, Ritik and Asif were apprehended on the basis of a secret information, and intermediate quantity of *ganja* was recovered from them; that the accused Ritik in his disclosure statement named the present accused/applicant as the supplier of *ganja*. Hence, the accused/applicant was apprehended and arrested.

2. Learned APP accepts notice.



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3. It being an issue of liberty, with consent of both sides, I heard arguments and examined the investigation file produced by IO/SI Rajender.

4. On behalf of accused/applicant, it is argued that he is innocent and has been falsely implicated in this case. Learned counsel for accused/applicant submits that the disclosure statement of Ritik is not a legally admissible evidence against the accused/applicant.

5. On the other hand, learned APP assisted by the IO, in all fairness does not seriously object to the bail application, though he submits that according to the status report filed before the Court of Sessions, there is evidence in the form of exchange of phone chats and pictures of *ganja* between the accused/applicant and Ritik, which show that the accused/applicant is involved in conspiracy.

6. As rightly submitted by learned counsel for accused/applicant, the statement of Ritik in police custody, incriminating the accused/applicant is inconsequential. Admittedly, nothing incriminating has been recovered from possession of or at the instance of the accused/applicant.

7. So far as the mobile phone chats between the accused/applicant and Ritik are concerned, the chargesheet in its list of documents does not mention any CDR or CAF. There is nothing on record to show that the chats and/or the pictures of *ganja* in mobile phones, about which the status report



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filed before the Court of Sessions makes a reference, were exchanged between Ritik and the present accused/applicant.

8. The list of documents attached with the chargesheet mentions certain photographs of WhatsApp chats at serial no.24. Name of one of the persons in those pictures of the mobile phone is some Lukka. The IO submits that there is no evidence to show that Lukka is the name of the accused/applicant. Most importantly, after going through the entire chargesheet the IO states that pictures of the alleged chats, though mentioned in the list of documents, are not on record of the chargesheet.

9. Considering the above circumstances, I find no reason to further deprive the accused/applicant liberty. As such, the application is allowed and it is directed that the accused/applicant be released on bail subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the learned trial court. Copy of this order be sent to the concerned Jail Superintendent for being immediately conveyed to the accused/applicant.

GIRISH KATHPALIA
(JUDGE)

AUGUST 1, 2025/ry