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

% *Date of Decision: 02.11.2026*

\# **CNR No. DLHC010348892026**

\+ **BAIL APPLN. 3084/2026**

HARIKRISHNAN PS .....Petitioner

Through: Mr. Mohit Chaurasia, Advocate

versus

NARCOTICS CONTROL BUREAU .....Respondent

Through: Mr. Arun Khatri, SSC with Ms. Shelly Dixit, Advocate

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks grant of regular bail in Case No. VII/77/DZU/2021 for offence under Section 8(c)/21(c)/29 of NDPS Act.

2. Copies of ordersheets of trial court in terms with last order have been produced by learned counsel for NCB and the same are accepted across the board.

3. I have heard learned counsel for accused/applicant and learned APP for respondent/NCB.

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4. Learned counsel for respondent/NCB fairly admits that the delay in trial cannot be attributed to the present accused/applicant.

5. According to prosecution case, initially from an intercepted DTDC parcel, bearing name and particulars of the accused/applicant, 480 grams *charas* and 60 grams methamphetamine were recovered and thereafter the accused/applicant was apprehended from a guesthouse, from where 140 grams methamphetamine was recovered at his instance. The quantity of the allegedly recovered contraband being commercial quantity, the rigours of Section 37 NDPS Act would come into play.

6. Learned counsel for accused/applicant submits that major ground on which he seeks to be released on bail is the delay in trial. It is submitted that the accused/applicant was apprehended on 07.12.2021 and continues to be in custody, but out of 26 prosecution witnesses, till date only 8 have been examined. Further, it is submitted that the co-accused Nafi was arrested belatedly, so those 8 witnesses also would have to be recalled. It is submitted that end of the trial is nowhere in sight.

7. Learned counsel for respondent/NCB, as mentioned above, submits that the record of the trial court shows that no delay can be attributed to the accused/applicant.

8. It is not disputed that the tenets of expeditious trial do make inroads into the twin conditions of Section 37 NDPS Act. The co-accused Paschal

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has already been granted bail by this Court on 12.08.2026 on grounds of delay in trial as per both sides. As mentioned above, the present accused/applicant is in custody since the year 2021 and till date, out of 26 prosecution witnesses only 8 have been examined and even those witnesses also would have to be recalled on account of belated arrest of co-accused Nafi. Trial is not likely to be concluded in reasonable future.

9. Considering the above circumstances, I do not find any reason to deprive further liberty to the accused/applicant. Therefore, the bail application is allowed and accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the Trial Court/Duty Magistrate.

10. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

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(JUDGE)

NOVEMBER 2, 2026/*as*

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