



2026:DHC:8849



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 07.10.2026*# **CNR No. DLHC010410962026**+ **BAIL APPLN. 3640/2026****RAJEEV KANSAL**

.....Petitioner

Through: Mr. Narender Singh, Advocate
(through video conferencing).

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State
with IO/SI Prahlad, Special Cell**CORAM: JUSTICE GIRISH KATHPALIA****JUDGMENT (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 320/2024 of PS Special Cell, New Delhi for offence under Section 21/22/29/38 NDPS Act.

2. After last date, status report was filed.

3. The arguments have been advanced by both sides at length. Initially, learned counsel for accused/applicant tried to take undue advantage of an inadvertent error which had crept in the last order on submission of

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prosecution that N.K. Pharmaceutical was firm of the daughter of the accused/applicant. Taking substantial time, learned counsel emphatically contended that the accused/applicant has no concern with N.K. Pharmaceutical and even his daughter has no concern with that firm. But after part arguments, he admitted that the said firm is of the wife of the accused/applicant.

4. Most importantly, it is only after extensive arguments across half an hour that it was revealed that during pendency of this bail application, the accused/applicant filed an interim bail application before the trial court, concealing pendency of this application. The trial court granted interim bail to the accused/applicant, which continues. The accused/applicant being currently not in jail, technically speaking, the present bail application does not survive. But more important is the issue of concealment.

5. It is submitted by learned counsel for accused/applicant that before the trial court he had disclosed in the interim bail application about pendency of this bail application. But on being called upon to screen share the interim bail application, it comes out that contents of the said interim bail application do not mention pendency of the present bail application, though in supporting affidavit, the information appears to have been sneaked in by way of an insignificant sentence. The court while reading the brief would go through the application only and not the supporting affidavit unless something significant is pointed out. It appears that even during arguments on the interim bail application, there was no reference to

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pendency of this bail application. Even the prosecution side remained silent before the trial court. This is clear from the order whereby interim bail was granted by the trial court.

6. Not only this, even this Court has not been informed till this moment that the accused/applicant is already on interim bail granted by the trial court by concealing pendency of this application and filing of other application. Even today, as mentioned above, it came out after extensive arguments.

7. The accused/applicant has tried to play fraud on this Court as well as the trial court. It is quite unfortunate that it is the same counsel who appeared before the trial court as well as this Court, so it also cannot be a matter of ignorance of the counsel about either of these proceedings.

8. In view of the aforesaid, this bail application is dismissed.

9. Copy of this order be also sent to the trial court for information and appropriate action.

10. Copy of this order be also sent to the DCP concerned to look into the silence of the IO before the trial court about pendency of this bail application.

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**GIRISH KATHPALIA
(JUDGE)**

OCTOBER 7, 2026/ry

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