



2026:DHC:6772



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 17.08.2026

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CNR No. DLHC010991792025

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BAIL APPLN. 4755/2025

AJAY SINGH

.....Petitioner

Through: Mr. Saksham Aggarwal, Advocate.

versus

THE STATE (GOVT. OF NCT DELHI)

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Jagbir.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks regular bail in case FIR No.71/2025 of PS Burari for offence under Section 8/21 of NDPS Act.
2. Earlier, this bail application was listed for the first hearing on 09.12.2025 before a coordinate bench, after which it remained getting adjourned before different benches and finally, it has been assigned to this bench for hearing today.
3. Broadly speaking, the allegation against the accused/applicant is that



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on the basis of a secret information, raid was conducted by police in which, from premises of the accused/applicant 121.20 grams *heroin* as well as a weighing machine and packing material was recovered. Thereafter, on the basis of disclosure statement of the accused/applicant, co-accused Simran and Rahul were arrested and from residence of Rahul 58.64 grams *heroin* was recovered.

4. Learned counsel for accused/applicant submits that the quantity of the allegedly recovered *heroin* being intermediate quantity, rigours Section of 37 NDPS Act would not come into play. It is also submitted that the accused/applicant is in jail since 24.01.2025 but till date even charge has not been framed by the trial court. It is also submitted that co-accused Rahul and Simran have already been granted bail.

5. Learned APP for State assisted by IO/SI Jagbir opposes the bail application on the ground that quantity of *heroin* allegedly recovered from the accused/applicant is nearing the commercial quantity which is 250 grams.

6. So far as the quantity of the *heroin* allegedly recovered from the accused/applicant, the same was of course more than small quantity, but cannot be said to be nearing the commercial quantity. As mentioned above, the accused/applicant is in jail since 24.01.2025 and till date even charges have not been framed, so culmination of trial is nowhere in sight. The



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accused/applicant cannot be kept in jail endlessly.

7. Therefore, the bail application is allowed and the accused/applicant is directed to be released on bail subject to his furnishing personal bond in the sum of Rs.20,000/- with one surety in the like amount to the satisfaction of the trial court.

8. Copy of this order be sent to the concerned Jail Superintendent for being conveyed to the accused/applicant.

**GIRISH KATHPALIA
(JUDGE)**

AUGUST 17, 2026/ry