



2026:DHC:489



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 20.01.2026*+ **BAIL APPLN. 248/2026 & CRL.M.A. 2019/2026**

RAJA KUMAR

.....Petitioner

Through: Mr. Pankaj Kumar Srivastav (*through  
videoconferencing*) and Mr. Abdul  
Karim Saiji, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State  
with SI Mukesh Kumar, PS Crime  
Branch.

**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 88/2025 of PS Crime Branch for offence under Section 20(b)(ii)(C)/25 NDPS.

2. I have heard learned counsel for accused/applicant and learned APP for State assisted by IO/SI Mukesh Kumar.

3. Broadly speaking, on the basis of secret information, a raiding team was constituted by the local police on the night intervening 11.04.2025 and 12.04.2025. At the informed spot, the accused/applicant arrived on a two

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wheeler scooter and from footrest of the scooter, 23.900 kg *ganja* kept in a white plastic bag was recovered and seized. Subsequently, on the basis of disclosure of the accused/applicant, the police arrested co-accused Sajan Kumar, from whom 12.235 kg *ganja* was recovered.

4. On behalf of accused/applicant, it is contended by learned counsel that the accused/applicant is innocent and has been falsely implicated in this case. Broadly speaking, two main arguments are advanced on behalf of accused/applicant. Firstly, it is contended that the quantity of *ganja* allegedly recovered is more than the quantity that reached the FSL according to the FSL report. Secondly, it is contended that the prosecution inordinately delayed sending the seized material to FSL in the sense that the alleged recovery having taken place on 11.04.2025, the seized material was sent to the FSL on 17.04.2025.

5. It is not in dispute that the quantity of *ganja* allegedly recovered from the accused/applicant is a commercial quantity, so rigors of Section 37 NDPS Act come into play.

6. So far as the alleged discrepancy in the weight of the contraband seized by the IO and the contraband received by the FSL, as explained by learned prosecutor, that occurs on account of evaporation of water content. As regards the dispatch of the seized material to FSL, it is explained by learned prosecutor that the seizure of the contraband took place past midnight intervening 11.04.2025 and 12.04.2025; and that immediately



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thereafter on 12.04.2025 itself, application for sending the contraband to FSL was moved before the learned trial court, which application was allowed on 17.04.2025, so there is no delay on the part of the investigating agency. Further, it is also submitted by the IO that the accused/applicant has been found involved in another case under NDPS Act.

7. Considering the above circumstances, I do not find it a fit case to release the accused/applicant on bail at this stage. Therefore, the bail application is dismissed. Accompanying application also stands disposed of.

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**GIRISH KATHPALIA  
(JUDGE)**

**JANUARY 20, 2026/dr**