



2025:DHC:2785



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

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Date of Decision: 22.04.2025+ **BAIL APPLN. 4394/2024**

SUBHASH BHATI

.....Petitioner

Through: Mr. P. Pratap Singh and Mr. Sunil
Kumar, Advocate

versus

THE STATE GOVT.OF NCT OF DELHI

.....Respondent

Through: Ms. Rupali Bandhopadhyia, ASC with
Mr. Abhijeet Kumar, Advocate for
State
ASI Sachin Singh, PS Crime Branch+ **BAIL APPLN. 4625/2024**

USMAN

.....Petitioner

Through: Mr. P. Pratap Singh and Mr. Sunil
Kumar, Advocate

versus

THE STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP for State
with ASI Sachin Singh, PS Crime
Branch**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. In furtherance of last order, learned counsel for accused/applicants submits that they have no document at all, reflecting any business



transaction between them. On last date, after part submissions, learned counsel for accused/applicants had taken adjournment to produce some reliable material in support of his contention that accused Usman, Pravez and Shuaib were co-villagers and had business transactions, and the accused/applicant Subhash Bhati being a cloth merchant, he also had business transactions with the remaining accused persons. Learned counsel for accused/applicants is offered more time to obtain and place on record documents reflecting the alleged business transactions, but he expresses his inability to avail the offer, stating that the transactions were of petty business, so they do not have any document.

2. Under these circumstances, I have heard learned counsel for accused/applicants and learned prosecutor.

3. The accused/applicants seek regular bail in case FIR No. 261/2023 of PS Crime Branch for offence under Section 20/29 NDPS Act. Briefly stated, prosecution case is as follows. On the basis of secret information, on 29.10.2023 at about 02:45pm, one Pravez @ Bhoora, a resident of Muzaffarnagar, UP was apprehended at New Delhi Railway Station where he de-boarded from Kerala Express and was found to be carrying 108 kg *ganja* in a parcel. In the course of recovery proceedings, Pravez disclosed that the accused/applicant Subhash Bhati through one Gautam used to get released the consignments for Pravez against payments. Immediately, at platform No. 07 of New Delhi Railway Station, Gautam also was



apprehended and was found carrying the booking slip of the parcel. Further investigation revealed that the present accused/applicants were working with accused Pravez. It was revealed that the accused Shuaib used to procure *ganja* from Andhra Pradesh and the same used to be transported to Delhi in train by Pravez to be handed over to accused Usman with the help of accused Gautam and accused Subhash Bhati.

4. Learned counsel for accused/applicants submits that the accused/applicants are innocent and have been falsely implicated. It is contended on behalf of accused/applicants that there is no evidence against them.

5. On the other hand, learned prosecutor has referred to multiple credit entries in the bank accounts reflecting transfer of substantial amount of money from Pravez to Usman and from Usman to Subhash Bhati and from Usman to Shuaib. It is those credit entries, which learned counsel for accused/applicants projected as business transactions between the said three accused persons and on last date took time to produce documentary record of transactions.

6. Today, it is submitted by learned counsel for accused/applicants that he could not get any documentary record of any business transactions between the said three persons. The said money transactions are not of petty amount; as mentioned above those are substantial amounts.



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7. Apart from the money transactions from Pravez to the remaining accused persons, there are also CDRs as per prosecution. The accused Pravez continues to be in jail. Chargesheet has been filed, but charges are yet to be framed.

8. Considering the overall circumstances, I do not find these cases fit to allow bail. Therefore, both applications are dismissed.

**GIRISH KATHPALIA
(JUDGE)**

APRIL 22, 2025/as