



\$~3

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2289/2025 & CRL.M.A. 18269/2025**

PABBAR GIRI

.....Applicant

Through: Mr. Aditya Aggarwal, Ms.
Kajol Garg & Mr. Naveen
Panwar, Advs.

versus

STATE GOVT. OF NCT OF DELHIRespondent

Through: Ms. Kiran Bairwa, APP
for the State.
SI Ravinder Singh, SPOl.
Staff / OD.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

03.09.2025

%

1. The present petition is filed seeking regular bail in FIR No. 157/2023 dated 12.02.2023, registered at Police Sation Ranhola, for the offence under Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('**NDPS Act**').
2. Briefly stated, it is alleged that on 11.02.2023, on the basis of a secret information, the applicant was apprehended along with co-accused persons namely Geegal Kumar and Pappu Rai. It is alleged that the accused persons were carrying white plastic bags on their shoulders. It is further alleged that a recovery of 35.250 kg of *Ganja* was made from the applicant, and a recovery of 33.200 kg *Ganja* was made from the co-accused – Geegal and Pappu Rai respectively.
3. The learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He submits that the co-accused persons namely



Geegal Kumar and Pappu Rai whose role is similar to the applicant, have already been admitted on bail by this Court by orders dated 21.02.2025 and 28.04.2025 respectively. It is consequently argued that the applicant is also entitled to bail on the ground of parity.

4. *Per contra*, the learned Additional Public Prosecutor for the State vehemently opposes the grant of any relief to the applicant. She submits that the applicant does not have clean past antecedents, and is involved in two more cases being FIR No. 202/2016 and FIR No. 72/2012 both registered for offences under the NDPS Act. It is consequently argued that the applicant is not entitled to be admitted on bail on the ground of parity.

5. It is not denied that co-accused Geegal Kumar and Pappu Rai have already been admitted on bail by this Court by orders dated 21.02.2025 in BAIL APPLN. 1473/2024 and 28.04.2025 in BAIL APPLN. 932/2025.

6. It is pertinent to note that the co-accused persons were admitted on bail by observing that they had been in custody for more than two years and charges were yet to be framed. It was noted that the trial is not likely to conclude in near future. It was also observed that no reason has been provided as to why no photography or videography was made despite the fact that the alleged recovery was carried in a public place.

7. It is undisputed that the role attributed to the applicant and the allegations against him are not different than that of the co-accused persons – Geegal Kumar and Pappu Rai who have already been enlarged on bail.

8. The only ground on which the State has opposed the benefit of parity to be afforded to the applicant is that he has past antecedents. In that regard, it is pertinent to note that it has not

BAIL APPLN. 2289/2025



been denied that the applicant has been acquitted in FIR No. 202/2016. Insofar as FIR No. 72/2012 is concerned, the applicant, in the same, was convicted long back by judgment dated 02.09.2014 and was sentenced to undergo rigorous imprisonment for a period of two years and five months. The applicant has already undergone the said sentence. Thus, at this stage, it cannot be said that any other case is pending against the applicant except the present case.

9. Even otherwise, considering that the applicant has already spent more than two years and five months in custody, and the role of the applicant undisputedly is not different than the other co-accused persons who have been admitted on bail, the applicant, in the opinion of this Court, is entitled for grant of bail.

10. It is also pointed out that the applicant belongs to a poor strata of society and has to provide for his wife and two minor daughters.

11. In view of the above, the applicant is directed to be released on bail on furnishing a personal bond for a sum of ₹10,000/- with two sureties of the like amount, subject to the satisfaction of the learned Trial Court, on the following conditions:

- a. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
- b. The applicant shall under no circumstance leave the country without the permission of the learned Trial Court;
- c. The applicant shall appear before the learned Trial Court on every date of hearing, unless his appearance



is exempted;

- d. The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
- e. The applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.

12. In the event of there being any FIR/DD entry / complaint lodged against the applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.

13. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

14. The present bail application is allowed in the aforementioned terms. Pending application also stands disposed of.

AMIT MAHAJAN, J

SEPTEMBER 3, 2025

“SK”