



2026:DHC:6826



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

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Date of Decision: 18.08.2026

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CNR No. DLHC010298472026

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BAIL APPLN. 2658/2026**SHIKHA ALI**

.....Petitioner

Through: Mr. U. A. Khan, Mr. Tushar and Mr.
Ankit Choudhary, Advocates.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State
(*through videoconferencing*) with SI
Amrendra.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No.26/2026 of PS Crime Branch for offence under Section 21/25/29 of NDPS Act.
2. Broadly speaking, allegation against the accused/applicant is that on the basis of secret information, the car in which she was travelling with her husband Arif was intercepted, after which from person of Arif, 303 grams heroin was recovered. Further according to prosecution, from the said car, 1007 grams of a suspected contraband was recovered, but today it is informed by learned APP for State on instructions of Investigating

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Officer/SI Amrendra that the said substance was found by the FSL not to be any contraband.

3. Learned counsel for accused/applicant submits that the accused/applicant, a lady, is in jail since 10.02.2026 without any evidence against her.

4. Learned APP for State submits that although nothing incriminating was recovered from person of the accused/applicant, but she is liable under Section 29 of NDPS Act for conspiracy since she was travelling with Arif from Bareilly to Delhi at the time of the alleged recovery. It is also submitted by learned APP for State that the accused/applicant is visible in CCTV footage when Arif is seen delivering contraband to co-accused Jumman.

5. Admittedly, nothing incriminating was recovered from the accused/applicant. Merely by travelling together from Bareilly to Delhi, one cannot infer conspiracy as contemplated by Section 29 of NDPS Act in the present case, because admittedly the accused/applicant is wife of the main accused Arif, who is already in jail. Similarly, the accused/applicant depicted in CCTV footage at the time of delivery of contraband packet by the accused/applicant to co-accused Jumman cannot be overstretched to read conspiracy in the same because she is wife of accused Arif, and it is Arif who delivered the packet to Jumman.

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6. Considering the above circumstances, I do not find any reason to deprive further liberty to the accused/applicant. Therefore, the bail application is allowed and accused/applicant is directed to be released on bail subject to her furnishing a personal bond in the sum of Rs.15,000/- with one surety in the like amount to the satisfaction of the Trial Court.

7. Nothing observed in this order shall be read to the prejudice of either side and at the culmination of trial, the learned trial court shall take independent view on the basis of evidence adduced.

8. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

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(JUDGE)

AUGUST 18, 2026/dr