



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2026
(@ SPECIAL LEAVE PETITION (CRIMINAL) NO. 14203 OF 2026)

DANISHKHAN @ D.K. @
DOLLAR MOHSINKHAN PATHAN

APPELLANT(S)

VERSUS

STATE OF GUJARAT

RESPONDENT(S)

ORDER

1. We have heard learned counsel for the appellant and learned counsel for the respondent-State of Gujarat.

2. Leave granted.

3. Appellant takes exception to the order dated 17.02.2026 passed by the High Court of Gujarat at Ahmedabad (briefly the 'High Court' hereinafter), rejecting the regular bail application of the appellant.

4. Appellant is an accused in C.R. No.III-01/2025 registered at Police Station- A.T.S., Ahmedabad City, Gujarat under Sections 8(c), 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act').

5. Allegation against the appellant is that contraband in the nature of Mephedrone weighing about 55 grams was recovered from Accused No.1. As per the disclosure statement of Accused No.1, the said contraband was

procured at the behest of the appellant.

6. Appellant was arrested on 24.07.2025 and since then, he has been in custody.

7. This Court had issued notice vide order dated 03.08.2026, pursuant to which respondent-State of Gujarat has filed counter-affidavit.

8. Learned counsel for the appellant submits that appellant has been apprehended purely on the basis of suspicion. No contraband was recovered from his possession, conscious or otherwise. According to the disclosure statement of Accused No.1, the contraband was procured at the instance of a second accused and it is the allegation that the ultimate destination was the appellant. Appellant is in custody since 24.07.2025. The trial has not yet commenced. Therefore, appellant may be enlarged on bail.

9. Learned counsel for the respondent-State of Gujarat, on the other hand, has referred to the counter affidavit filed on behalf of the respondent-State of Gujarat and submits that appellant has 03 other criminal antecedents, all connected with NDPS offences. She submits that charge-sheet has been filed and the matter is now at the stage of framing of charges.

10. Responding to the above submissions, learned counsel for the appellant submits that in all the 03 instances of antecedents, appellant is on bail. In fact, on the date he was enlarged on bail in the 3rd instance, he was roped in

the present case.

11. After hearing learned counsel for the parties and on due consideration, we are of the view that a case for grant of bail is made out.

12. Having regard to the above, the impugned order dated 17.02.2026 passed by the High Court is set aside. Consequently, we direct that the appellant shall be produced before the jurisdictional Special Court within a maximum period of 07 days from today, whereafter he shall be released on bail on such terms and conditions as may be deemed appropriate. Since there are antecedents of the appellant, we direct that the appellant shall appear before the concerned police station on the 01st Monday of every month at 11:00 AM till such time the trial commences, whereafter he shall co-operate with the trial.

13. Accordingly, the Criminal Appeal is allowed.

14. Pending application(s), if any, shall stand disposed of.

.....J.

[UJJAL BHUYAN]

.....J.

[ATUL S. CHANDURKAR]

NEW DELHI;
03rd SEPTEMBER, 2026.
AK

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 14203/2026

[Arising out of impugned final judgment and order dated 17-02-2026 in CRMA No. 3724/2026 passed by the High Court of Gujarat at Ahmedabad]

DANISHKHAN @ D.K. @ DOLLAR MOHSINKHAN PATHAN

Petitioner(s)

VERSUS

STATE OF GUJARAT

Respondent(s)

FOR ADMISSION

(IA No. 218308/2026 - CONDONATION OF DELAY IN REILING / CURING THE DEFECTS

IA No. 218306/2026 - EXEMPTION FROM FILING O.T.)

Date : 03-09-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE UJJAL BHUYAN

HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s): Ms. Jaikriti S. Jadeja, AOR
Ms. Nidhi Singh, Adv.
Mr. Prashant Tomar, Adv.

For Respondent(s): Ms. Deepanwita Priyanka, Adv.
Ms. Swati Ghildiyal, AOR
Ms. Apoorva Anand, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The Criminal Appeal is allowed in terms of the signed order placed on file.
3. Pending application(s), if any, shall stand disposed of.

(ABHINAV KUMAR)
COURT MASTER (SH)

(CHETNA BALOONI)
COURT MASTER (NSH)