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

% ***Date of Decision: 28th July, 2026***

\+ CRL.REV.P. 432/2026

VISHAL .....Petitioner

Through: Mr. Ankit Kumar Vats and Ms. Riya Manna, Advocates

versus

STATE OF NCT OF DELHI .....Respondent

Through: Mr. Sunil Kumar Gautam, APP for State with SI Ajeet Singh, ANS/SED

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T *(oral)*

1. The point involved in the present petition is a very short one.

2. The applicant has been arrested on 26.03.2026.

3. According to applicant, he is entitled to be released on statutory bail as the contraband in question is not *Metamphetamine* but is *Methaqualone* and since the recovery is of intermediate quantity, the prescribed period for filing challan has already elapsed.

4. Learned counsel for petitioner admits that the recovered quantity of the contraband is of 99.25 grams. When the application seeking statutory bail was submitted before the learned Trial Court, a reply was filed by the prosecution and such reply also accompanied the report given by the *Forensic Science Laboratory*. Such FSL report dated 08.05.2026 reads as under:-

> *"On chemical, TLC and GC-MS examination, exhibit 'S1' was found to contain 'Methamphetamine'.*
> *After the examination the remnants of the exhibits were sealed with the seal impression K.G. FSL DELHI"*

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5. As per the relevant notification, the following entries are germane in the present context:-

S. No.	*Name of Narcotic Drug and Psychotropic Substance (International non-proprietary name (INN)*	*Other non-proprietary name*	*Chemical Name*	*Small Quantity (in gm.)*	*Commercial Quantity (in gm./kg.)*
159	*Metamfetamine*	*Methamphetamine*	*(±)-(S)-N, alpha-dimethylphenethylamine, (+) 2methylamino-1-Phenylpropane*	*2*	*50 gm.*
161	*Methaqualone*		*2-methyl-3-o-tolyl-4(3H-quinazolinone)*	*20*	*500 gm.*

6. Despite the fact that forensic opinion is categoric that the contraband in question is *Methamphetamine*, it is not comprehensible as to on what basis, applicant is insisting the contraband to be treated as *Methaqualone.*

7. Since the quantity in question, when the contraband is taken as *Metamphetamine*, is commercial in nature, applicant is not entitled to be released on statutory bail. The sentence provided for such offence relatable to commercial quantity would be rigorous imprisonment for not less than 10 years, which may extend to 20 years and, therefore, the period for filing of challan would be 180 days (Section 36A (4) of *Narcotic Drugs and Psychotropic Substances Act, 1985)*, which has yet not expired.

8. Therefore, there is no illegality or perversity in the impugned order.

9. The petition is accordingly dismissed in *limine.*

(MANOJ JAIN)
JUDGE

JULY 28, 2026/*dr/sk*

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