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

+ **CRL.M.C. 6797/2025 & CRL.M.A. 28589/2025**

NAVEEN HANDA

.....Petitioner

Through: Mr. Aditya Aggarwal, Ms. Kajol Garg, Mr. Naveen Panwar and Mr. Mohd. Yasir along with Petitioner in person.

versus

CENTRAL BUREAU OF NARCOTICS

.....Respondent

Through: Mr. Satish Aggarwal, Senior Standing counsel and Mr. Gagan Vaswan, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
22.09.2025

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1. The present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 impugns order dated 29th April, 2025 passed by the Trial Court in SC No. 294/2024, titled “***CBN v. Naveen Handa***”. By the said order, the Trial Court has framed charges against the Petitioner for the offences under Sections 21(c) and 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.¹

2. A perusal of the impugned order reveals that the order on charge has been passed on the basis of a concession made on behalf of the Petitioner by

¹ “NDPS Act”



Mr. Aman Raj Singh, who represented him before the Trial Court. Counsel for the Petitioner contends that Mr. Aman Raj Singh was not the main arguing counsel, and that the statement made on the Petitioner's behalf was purely inadvertent and given without proper instructions. It is submitted that, in these circumstances, the Petitioner's valuable right to argue on the point of charge has been prejudiced. It is further submitted that a coordinate Bench of this Court, *vide* order dated 29th July, 2025 [BAIL APPLN. 4070/2024], made specific observations that undermine the Prosecution's case. In light of these observations, it is contended that there was no reason or justification for the Petitioner to have conceded to the framing of charge.

3. On the other hand, Mr. Satish Aggarwal, Standing Counsel for the Respondent, opposes the petition. He submits that the Petitioner had specifically conceded to the framing of charge and as such, cannot now be permitted to resile from the same. With regard to the observations made in the bail order, Mr. Aggarwal submits that they have no bearing on the issue of charge and the Respondent are in the process of challenging the said order before the Supreme Court.

4. The Court has considered the submissions advanced by the parties. Indeed, the order on charge has been passed solely on the basis of a concession made by counsel appearing on behalf of the Petitioner. While there is no reason for this Court to doubt that such a statement was indeed made by the said counsel, it is nonetheless plausible that the counsel, who was not the main arguing counsel, may have made the statement without receiving proper instructions. This possibility is particularly relevant in light of the observations made in the bail order dated 29th July, 2025, which suggest that the Petitioner may have an arguable case. Whether or not such



arguments would ultimately succeed, is a matter for the Trial Court to decide and this Court does not, for a moment, suggest that the observations made in the bail order should influence the outcome of the charge proceedings.

5. Nonetheless, it is pertinent to emphasize that framing of charge is a significant stage of the proceedings, the outcome whereof can relieve a party of the ordeal of trial. Further, in the present case, no substantive progress has taken place since the passing of the impugned order, with the matter still at the stage of prosecution evidence and no witnesses examined. Accordingly, in the peculiar facts and circumstances of the case, the order dated 29th April, 2025 is set aside. The Trial Court is directed to hear both the Petitioner and the Respondent afresh on the issue of charge, and to pass a reasoned order, in accordance with law, on the next date of hearing fixed before it.

6. Copy of this order be sent to the Trial Court for necessary information and compliance.

7. The Court has not commented on the merits of the case, and all rights and contentions of the parties are left open.

8. With the above directions, the petition is disposed of, along with pending application.

SANJEEV NARULA, J

SEPTEMBER 22, 2025/MK