

**IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO. 2367 OF 2026**  
**(Arising out of SLP(Crl.) No. 18396/2025)**

**THE STATE OF TELANGANA**

**APPELLANT(S)**

**VERSUS**

**SOMANATH KHARA @ MOHESH @ HEDU**

**RESPONDENT(S)**

**WITH**

**CRIMINAL APPEAL NO.2368 OF 2026**  
**(Arising out of SLP(Crl.) No.21134/2025)**

**WITH**

**CRIMINAL APPEAL NOS.2369 -2371 OF 2026**  
**(Arising out of SLP(Crl.) Nos. 8468-8470/2026)**  
**(@ D. No. 25790/2025)**

**ORDER**

1. Delay condoned.
2. Leave granted.
3. Heard learned counsel for the parties.
4. The Criminal Appeal No.2367 of 2026 is directed against the order dated 17.10.2024 passed in Criminal Petition No. 12016 of 2024, Criminal Appeal No.2368 of 2026 is directed against the order dated 18.10.2024 passed in Criminal Petition No. 12308 of 2024 and Criminal Appeal Nos.2369-2371

of 2026 are directed against the order(s) dated 01.10.2024 passed in Criminal Petition Nos.10803, 10238 and 10877 of 2024 whereby the High Court directed to enlarge the respondent(s) on bail in case(s) concerning their involvement under Narcotic Drugs and Psychotropic Substances Act, 1985<sup>1</sup>.

5. The only reason assigned for granting the bail is that the respondents are in custody since 03.08.2024 and that the investigations are complete though charge sheet has not been filed.

6. In a case under the NDPS Act, long duration of custody or the completion of investigation are not sufficient factors for enlarging the accused on bail. The accused persons seeking bail have to overcome the rigors of Section 37 of the Act. The Court in passing the impugned order(s) has not considered the above aspect of the matter(s).

7. In view of the aforesaid circumstances, we are of the opinion that the order(s) impugned can not be sustained in law and as such, are hereby set aside. The matters are remanded to the High Court for consideration afresh of the appeal(s) in the light of the subsequent developments as well.

8. Accordingly, the appeals are allowed in the

1 Hereinafter referred to as 'NDPS Act'.

above terms.

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

.....J.  
[PANKAJ MITHAL]

.....J.  
[S.V.N. BHATTI]

NEW DELHI;  
May 06, 2026.  
SD

ITEM NO.2

COURT NO.9

SECTION II

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (Crl.) No. 18396/2025

[Arising out of impugned final judgment and order dated 17-10-2024 in CRLP No. 12016/2024 passed by the High Court for The State of Telangana at Hyderabad]

THE STATE OF TELANGANA

Petitioner(s)

VERSUS

SOMANATH KHARA @ MOHESH @ HEDU

Respondent(s)

WITH

SLP(Crl) No. 21134/2025 (II)Diary No(s). 25790/2025 (II)

(IA No. 56725/2026 - CONDONATION OF DELAY IN FILING

IA No. 56727/2026 - CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS

IA No. 56723/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 06-05-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL

HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) :Mr. Kumar Vaibhaw, Adv.  
Ms. Devina Sehgal, AOR  
Mr. Yatharth Kansal, Adv.  
Mr. Ishaan Ojha, Adv.

For Respondent(s) :Mr. Harsha Gollamudi, Adv.  
Mr. Dawneesh Shaktivats, AOR  
Ms. Kusuma, Adv.  
Mr. Aman Sabir Saifi, Adv.  
Ms. Himanshi Mehta, Adv.  
Mr. Mohd Yasin, Adv.  
Ms. Nikita Arora, Adv.  
Mr. Kaustubh Khera, Adv.

Mr. Siddharth S. Chapalgaonkar, Adv.  
Mr. Abhijeet Jagtap, Adv.  
Ms. Sneha Sanjay Botwe, AOR  
Mr. Akash Tripathi, Adv.  
Mr. Parimal Wagh, Adv.

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

1. Delay condoned.
2. Leave granted.
3. The present appeals are allowed in terms of the signed order which is placed on the file.
4. Pending application(s), if any, shall stand disposed of.

(SNEHA DAS)  
SENIOR PERSONAL ASSISTANT

(NIDHI MATHUR)  
COURT MASTER (NSH)