

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

CRIMINAL APPEAL NO. _____ OF 2026
(Arising out of SLP (Crl) No.3435 of 2026)

Sanjana Bhaskaran

...Appellant(s)

Versus

State of Telangana & Anr.

...Respondent(s)

ORDER

Leave granted.

2. The appellant is the 4th accused in a case registered under the Narcotic Drugs and Psychotropic Substances Act, 1985¹ and the allegation was that she had received a packet from the co-accused; two of whom were apprehended along with her, and the packet contained dried leaves and buds with strong odour, which was later identified as *marijuana*. The appellant also was subjected to a medical test, wherein she was detected to have used *marijuana*. The alleged sellers of *marijuana* near the educational institution were apprehended with much more quantity of *marijuana*, which

¹ In short 'NDPS Act'

was kept in the Scooty on which they came to the spot, from where they were apprehended. The co-accused disclosed the names of their supplier, who is also arrayed in the case.

3. Insofar as the appellant is concerned, even according to the statements of the officers of the police team, there was no recovery made from her or from the bag which she carried. In fact, the specific case is that the Sub-Inspector of Police, Nandigama Police Station, received a credible information that two persons were coming to sell *marijuana* near a college. The same was intimated to the superior officers and deputation of two government employees were sought from the Tahsildar to act as panch witnesses. The police team along with independent witnesses reached the spot at about 02:30 pm. At 03:00 pm, two persons arrived on a Scooty and halted at a distance of 100 meters from where the police team was carrying out surveillance. The appellant is said to have emerged from the college, approached the two persons who were standing near the Scooty, who handed over a cover to the girl, which was kept in her bag.

4. The police immediately pounced on the three and the allegation is that the appellant produced the cover from her bag; voluntarily. In fact, when the police saw the appellant putting the cover in the bag, they should have informed her

about her right to be examined before a Magistrate and then they should have carried out the search, if she consents to that. The version that the girl produced the cover voluntarily, raises a suspicion also with respect to the knowledge of the appellant, that there was a contraband in the cover. In fact, the entire case set up against the appellant is based on the confession, said to have been made by the co-accused; the two persons who had commercial quantity of *marijuana* with them and the confession of the appellant herself.

5. Learned Counsel for the State points out that there was apprehension of the appellant from the scene of occurrence, and she had voluntarily produced the contraband. It is also submitted that the Government, as per the notification issued, would not press for a prosecution if the appellant agrees to subject herself to a de-addiction process.

6. Trite is the principle that no confession can be relied on. The contraband also having not been recovered from the appellant, we are of the opinion that there would be no useful purpose served in carrying out a prosecution against the appellant. We are of the opinion that the Police should be more sensitive in such matters, especially since the appellant, in one way, is a victim being last in the chain of supply. Prosecuting such victims can have a spiralling effect

and incarceration pending trial, can lead to more disastrous consequences of the victim joining the supply chain, by reason only of associations developed in prisons. Curbing availability and breaking the supply chain shall be the focus and not merely punishing the user, who is actually the victim.

7. We make it clear that we have not looked at the case of the other accused who have been arrayed in S.C. NDPS No. 91/2025 pending before the Special Sessions Judge, Fast Track Court, Rangareddy District, LB Nagar.

8. Insofar as the appellant is concerned, her arraignment in the Sessions Case stands quashed. We are not persuaded to subject the appellant to a de-addiction process, especially since we find no complicity insofar as the appellant is concerned with respect to the allegations raised of conscious possession of narcotics.

9. The appeal stands allowed.

10. Pending application(s), if any, shall stand rejected.

..... J.
(J. B. PARDIWALA)

..... J.
(K. VINOD CHANDRAN)

**NEW DELHI;
OCTOBER 09, 2026.**

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

Petition for Special Leave to Appeal (Crl.) No.3435/2026

[Arising out of impugned final judgment and order dated 29-12-2025 in CRLP No. 14974/2025 passed by the High Court for The State of Telangana at Hyderabad]

SANJANA BHASKARAN

Petitioner(s)

VERSUS

STATE OF TELANGANA & ANR.

Respondent(s)

IA No. 60754/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 09-10-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :Mr. Dinesh Kothari, Adv.
Mr. B.s. Randhawa, Adv.
Mr. Gopal Singh Chauhan, Adv.
Mr. Harsh Gupta, Adv.
Ms. Goldy Goyal, AOR

For Respondent(s) :Ms. Devina Sehgal, AOR
Mr. Srikanth Varma Mudunuru, Adv.
Mr. Yatharth Kansal, Adv.

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

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

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)

(Signed order is placed on the file)