

S. C. No. 84/2016

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FIR No. 332/2016

PS Pahar Ganj

State v. Amit Nayak @ Bharat & Ors.

U/s 302/307/325/147/148/148 IPC

21.12.2022

Present: None for State.

Accused Amit Nayak is present.

Accused Amit Sharma on bail is absent.

Accused Prakash on bail in this case but in JC in some other case produced from JC.

Sh. P. K. Garg counsel for above accused persons.

Accused Prince on bail is present, with counsel Sh. Rohan Kanhai.

Accused Montu, Danish and Tarush produced from JC.

Accused Himanshu is present through video conferencing.

Sh. Kamal Deep, counsel for accused Himanshu.

An application is seeking cancellation of NBWs and for restoration of previous bail bonds on behalf of accused Amit Nayak.

Learned counsel for accused Amit Nayak submits due to bereavement in family accused had gone to Jaipur and could not appear on the last date of hearing. For the grounds raised in the application, same is allowed and Non-bailable warrants against accused Amit Nayak are cancelled.

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Another applications is moved on behalf of accused Amit Sharma seeking stay of the NBWs issued against him. Learned counsel submits that accused had gone to Assam in connection of business purpose and through could not appears on the next date of hearing. Smt. Jagpati Devi, surety of accused is present. She submit that she will produce the accused on the next date of hearing. In view thereof, NBWs of the accused Amit Sharma are stayed. **Put up for appearance of accused Amit Sharma on 17.01.2023.**

An application is also filed on behalf of accused Himanshu for cancellation of NBWs. It is submitted that the accused could not appear on 10.11.2022 as he was suffering from loose motion. The non-appearance of the accused was neither intentional nor deliberate. Today he has not appeared in person due to threats extended to him. For the reasons mentioned in the application, same is allowed and NBWs against accused Himanshu are stands cancelled.

Another application is moved on behalf of accused for conducting court proceedings qua applicant through video conferencing, moved on behalf of accused-applicant Himanshu. Since, regular Additional Public Prosecutor is on leave and Subsitute Additional Public Prosecutor is busy in his own Court, application shall be taken up on the next date of hearing for consideration.

PW16 Rahul be summoned for the next date of hearing.

Put up for prosecution evidence on **24.05.2023.**

Copy of order be given dasti.

(Sanjeev Kumar-II)
Special Judge (NDPS Act)-02
Central District, Tis Hazari Courts, Delhi
21.12.2022