

SC No. 84/2017

STATE Vs. AMIT NAYAK @ BHARAT and ORS.

FIR NO. 332/2016

PS Pahar Ganj

20.07.2026

Present: Sh. Pankaj Kumar Ranga, Ld. Addl. PP for the State.
Accused persons namely Himanshu, Montu,
Tarush, Prakash @ Akash and Prince
are present on bail.

**Accused Amit Danish and Nayak @ Bharat are
absent.**

Sh. Kamaldeep, Ld. Counsel for accused
Himanshu. (through VC).

Sh. P.K. Garg, Ld. counsel for all accused persons
except accused Himanshu.

Matter is fixed for PE.

An exemption application has been filed on behalf
of accused Danish on the ground that he has met with an
accident. Same is allowed for today only.

On the last date of hearing, NBWs were issued
against accused Amit Nayak @ Bharat. Report has been received
that accused Amit Nayak @ Bharat is not residing at the given
address and hence NBWs against him could not be executed.

Notice was also sent to surety of accused Amit
Nayak @ Bharat namely Kanhaiya Lal. Report has been received
that surety Kanhaiya Lal is not traceable. Surety bonds furnished
by surety Kanhaiya Lal.

On the perusal of record, it is revealed that
photocopy of RC of e-rickshaw DL 6ER 0715 has been placed on
record.

SHO PS Pahar Ganj is directed to seize the above-said e-rickshaw, auction the same and deposit the forfeited surety amount in sum of Rs. 25,000/- or the lesser amount which may be realized from the auction of above-said e-rickshaw.

In view of circumstances, PW-Manish Gupta is discharged unexamined.

Ld. Addl. PP for the State submits that the only requirement for issuance of process u/s 82 Cr.P.C. is that the NBWs have already been issued and all possible attempts to execute the warrants have been made and subsequent to the NBWs having been issued, accused Amit Nayak @ Bharat is absconding or concealing himself in a manner to avoid execution of warrants. He submits that the preconditions are already complete and hence, process u/s 82 Cr.P.C. should be issued.

I have perused the report filed on behalf of SHO PS Pahar Ganj order pertaining to the issuance of NBWs against accused Amit Nayak @ Bharat and the report w.r.t. non execution of NBWs.

I am of the considered opinion that the accused Amit Nayak @ Bharat S/o Sh. Kaniya Lal is absconding and concealing himself so that the NBWs could not be executed against him.

In view of the circumstances, let a written proclamation be published against the accused Amit Nayak @ Bharat S/o Sh. Kaniya Lal R/o L-117, Lakshman Puri Chowk, Nabi Karim, Pahar Ganj, New Delhi and he is directed to appear before this court on 30.09.2026 at 10.00 a.m.

A copy of this proclamation be also published in two Daily Newspapers (Hindi and English) which are in circulation in the local area.

SHO is directed to comply with all the conditions laid down u/s 82 Cr.P.C. as well as the law laid down by the Hon'ble High Court of Delhi and Hon'ble Apex Court w.r.t. the execution of process u/s 82 Cr.P.C.

Put up for filing of report on the execution of process u/s 82 Cr.P.C. on 30.09.2026, appearance of accused Amit Nayak @ Bharat in pursuance of proclamation on 30.09.2026 at 10.00 A.M, filing of report/deposit of forfeited surety amount by SHO PS Pahar Ganj and further proceedings on 30.09.2026.

Copy of this order be sent to SHO PS Pahar Ganj for compliance.

(Virender Kumar Kharta)
ASJ/FTC-02(CENTRAL)
TIS HAZARI COURTS:DELHI :20.07.2026