

SC No. 28027/2016
STATE Vs. Rajesh @ Marry
FIR No. 823/2015
PS Kotwali

21.07.2025

Present : Sh. Pankaj Kumar Ranga, Ld. Addl. PP for the State.

Accused Pankaj is PO.

Accused Deepak Kumar @ Arav is absent.

Accused persons namely Virender Kumar @ Bunty, Divesh @ Deepu, Deepak Kumar @ Bhuri @ Chira, and Afzal are present on bail.

Accused Rajesh @ Marry is present on interim bail (although on bail in present case).

Sh. Pawan Kumar Sharma, Ld. Counsel for all accused persons except accused Rajesh @ Marry.

Ms. Priya Kakran, Ld. Counsel for accused Rajesh @ Marry.

NBWs were issued against accused Deepak Kumar @ Arav. Report has been received from SHO PS Kotwali. As per the report, accused is not residing at the given address. His surety has also not appeared before this court.

An exemption application along with an application for cancellation of NBWs has been filed on behalf of accused Deepak Kumar @ Arav on the ground that he is not feeling well. Since accused was not found at the given address and his surety has also not appeared before this court, **exemption application as well as application for cancellation of NBWs filed on behalf of accused Deepak Kumar @ Arav stand dismissed. Surety bond stands forfeited.**

Issue fresh NBWs against accused Deepak Kumar @ Arav, through DCP North, for next date of hearing.

Issue bailable warrants in sum of Rs. 5,000/- against surety of accused Deepak Kumar @ Arav, for next date of hearing.

Two separate NBWs cancellation applications have been filed on behalf of accused Divesh @ Deepu and Deepak Kumar @ Bhuri @ Chira. Their sureties have also appeared before the court. The grounds taken by the accused persons do not seem to be plausible and they had not informed the court on last date of hearing due to which the witnesses could not be examined and the proceedings in the present case were affected. However, Ld. Counsel for accused/applicants have submitted that accused persons will regularly appear before this court in future and if they not appeared, they may be sent to jail.

In view of submissions and circumstances, **applications filed on behalf of accused persons namely Divesh @ Deepu and Deepak Kumar @ Bhuri @ Chira for cancellation of NBWs is hereby allowed, subject to payment of cost of Rs. 5,000/- each. Accused persons submit that they will deposit the cost on next date of hearing.**

Both the applications stand disposed off accordingly.

PW Ms. Geeta has appeared before this court in pursuance of bailable warrants issued against her. Since the matter is fixed for miscellaneous appearance only and one of the accused is absent, recording of evidence of PW Ms. Geeta is not possible today.

Issue fresh summons to PW Ms. Geeta, for next date of hearing.

Put up for deposit of cost by accused persons namely Divesh @ Deepu and Deepak Kumar @ Bhuri @ Chira, filing of report of execution of NBWs against accused Deepak Kumar @ Arav, appearance of his surety, deposit of forfeited surety bond amount by surety and further PE on 08.09.2025.

(Virender Kumar Kharta)
ASJ/FTC-02(CENTRAL)
TIS HAZARI COURTS:DELHI :21.07.2025