

State Vs. Chander Kant @ Sonu & Ors.

CNR No.: DLCT01-007047-2023

SC No. 311/2023

FIR No. 307/2020

PS : DBG Road

15.04.2026

Present : Mr. Amit Dabas, Ld. Addl. PP for the State.
Mr. Ashish Sharma, Ld. Counsel for the accused persons, namely, Chander Kant @ Sonu and Nilesh @ Kale.
The accused persons, namely, Chander Kant @ Sonu and Nilesh @ Kale are present.
Accused Guru Kumar @ Garia is not present.
IO SI Manoj is not present.

Fresh *vakalatnama* has been filed on behalf of the accused persons, namely, Chander Kant @ Sonu and Nilesh @ Kale by Mr. Ashish Sharma, Ld. Counsel. Same is taken on record.

Proof of deposit of cost, in terms of order dated 10.03.2026, has been filed by/on behalf of accused, namely, Nilesh @ Kale. Same is taken on record.

Request for exemption is made by / on behalf of IO SI Manoj Kumar on the ground that he has to enter appearance before Hon'ble High Court in case bearing Bail Appln. no. 1404/2026. For the reasons stated therein, the exemption is allowed for today only, subject to the IO furnishing the necessary documents on the next date of hearing.

As per the report of non-bailable warrants issued against the accused, namely, Guru Kumar @ Garia, it is observed that the same has returned unexecuted with the remarks that accused was not found traceable at his address available on record.

Mr. Purushotam, surety of the accused Guru Kumar @ Garia is also not present.

Contd..2/-

At this stage, an application seeking cancellation/recall of NBWs have been moved on behalf of accused Chander Kant @ Sonu has been moved by Ld. Counsel for the accused.

It is stated in the application that the accused could not appear before this Court on the last occasion that on 10.03.2026 as the applicant's daughter had delivered a baby and that she was not keeping well. Accordingly, it is submitted that the reasons for non-appearance of the accused were neither deliberate nor intentional and that it was solely due to the aforesaid reason. Therefore, it is prayed that the NBWs may be recalled.

Per contra, Ld. Addl. PP for the State has vehemently opposed the present application on the ground that despite directions, the applicant has not been appearing in the present case since 10.03.2026 and that despite passage of significant period, the accused has only entered appearance today, where his NBWs have returned unexecuted and even the surety, namely, Tilak Raj of the said accused is not traceable. Further, Ld. Addl. PP for the State has submitted that the application is unsupported with any documentary proof.

Arguments heard. Record perused.

Notably, from a perusal of the record, it is observed that the accused had not entered appearance before this Court on 10.03.2026 despite repeated calls, leading to this Court issuing NBWs against him on the said date, during the post-lunch session. However, it is observed that in the present application only the reasons for absence of the accused on 10.03.2026 have been specified to be the reason of delivery of a child by the

applicant's daughter. Nonetheless, no documents have been filed in this regard. However, in the interest of justice, exigency expressed with the medical condition of the applicant/accused's daughter, inclination of the accused to be diligent in future and considering the submissions addressed before this Court, this Court deems it prudent to recall the NBWs issued against the accused, namely, Chander Kant @ Sonu.

Accordingly, the NBWs issued against the accused Chander Kant @ Sonu is recalled, subject to deposit of cost of Rs. 5,000/- in DLSA, Central, as well as on the accused furnishing fresh surety within a period of seven days from today.

The accused is warned to be careful in future.

A copy of this order be sent to the concerned SHO as well as the concerned IO for compliance.

A copy of this order be given *dasti* to the accused Chander Kant @ Sonu.

Accused Guru Kumar @ Garia is not present despite repeated calls.

In the interest of justice, list for further proceedings on 21.05.2026.

Issue non-bailable warrants against the accused, namely, Guru Kumar @ Garia for the next date of hearing.

Issue bailable warrants against Mr. Purushotam, surety of the accused Guru Kumar @ Garia in the sum of Rs. 5,000/- for the next date of hearing.

Issue notice to the concerned IO to be physically present before this Court on the next date of hearing.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
15.04.2026