

SC 113/2024
STATE Vs. SALMAN @ PEEPA AND ANR.
FIR No. 3 /2020
PS (Mayur Vihar)

30.09.2024

Pr.: Sh. Gaurav Pandey, Ld. Additional PP for the State.

Both the accused persons are present on bail with counsel.

Sh. Iqram Khan, Ld. Counsel for accused Salman @ Peepa.

Sh. Junaid Ahmad Khan, Sh. Sunil Pal and Ms. Radha Parashar, Ld. Counsels for accused Javed @ Minda.

In response to direction dated 09.09.2024, Ld. Counsel for accused Salman @ Peepa has filed copy of order of Hon'ble High Court dated 09.09.2024, where he had to appear in a Quashing petition. Considering the same, **exemption application moved on behalf of accused Salman @ Peepa on 09.09.2024 stands allowed.**

Accused Javed @ Minda has also appeared today. NBW were issued against him on 09.09.2024 with notice to his surety.

Heard on the NBW cancellation application of accused Javed @ Minda. It is submitted by Ld. Counsel for the accused that accused had considered the next date of hearing as of the month of October.

This is no ground, as another accused Salman @ Peepa had appeared on the date fixed. Even no copy of diary has been filed by Ld. Counsel for accused Javed @ Minda showing that he had noted date as '09.10.2024' instead of '09.09.2024'. There is

no explanation as to why application for cancellation of NBW was moved on behalf of accused on 26.09.2024, when date of October was noted. Even on that day, accused was not present in the Court. It is submitted that on 26.09.2024, accused was suffering from 'Loose motion', but no medical document has been filed in this regard.

Considering the same, I am of the opinion that no justifiable ground has been shown for absence of accused Javed @ Minda on 09.09.2024. Hence, application for cancellation of NBW of accused Javed @ Minda is dismissed. **Accused Javed @ Minda is taken into judicial custody and sent to J/C.**

Surety Akhatar for accused Javed @ Minda is present. He is directed to deposit surety amount of Rs.25,000/- within 10 days from today, failing which, warrant of attachment in respect to vehicle, RC of which is placed on record by the surety, be issued for NDOH.

Put up on **06.12.2024** for PE and awaiting report on W/A of surety Akhatar.

(Shail Jain)
Principal District & Sessions Judge,
East District, KKD Courts, Delhi.
30.09.2024 (mk)