

IA No. 2/2025
SC No. 43/2023
NCB Vs. Jai Singh Sekhawat

11.07.2025

Present: Sh. Mukesh Malik, Ld. SPP for NCB.
Ms Shweta Mehta, Sh Ashish Dutta and Sh
Mahender Singh Inda, Ld. Counsels for
applicant/accused.

Perusal of record reflects that the present application has been filed under 439 CrPC, 1973 and in view of section 531 BNSS, 2023, the same is not maintainable. Reliance is placed on the decisions of Hon'ble High Court of Delhi in “*Prince Vs State of NCT of Delhi, BA No. 2399/2024 dated 12.07.2024*” and “*State through RPF Vs Dharmender @ Dharma, Crl. LP 472/2024 dated 26.09.2024*”.

Perusal of record further reflects that although it is mentioned by the applicant that it is second bail application, however, the details of earlier application and the date on which the same was dismissed and the grounds on which it was dismissed is not mentioned. Furthermore, the application is silent on the change of circumstances since the dismissal of last bail order.

The filing of the present application in the manner it has been filed is also amounting to misrepresentation. The reliance is placed upon the decision of Hon'ble Supreme Court of India in “*Kusha Daruka Vs. The State of Odisha*” in *Crl. Appeal No. 303/2024 decided on 19.01.2024*.

It is submitted by Ld. Counsel for applicant/accused that she may be allowed to withdraw the present application with liberty to move it afresh.

Separate statement of Ld. Counsel for applicant/accused has been recorded in this regard.

In view of the statement of Ld. Counsel for applicant/accused, the present application is dismissed as withdrawn with liberty to move the same afresh.

Application disposed off accordingly.

Copy of the order be given dasti.

(Atul Ahlawat)
ASJ/Spl. Judge, NDPS/N. Delhi
11.07.2025