

SC No. 44777/15

IA No. 10/22

State vs. Azhar

FIR No. 548/13

PS: Seelampur

U/s: 302/307/34 IPC & 25/54/59 Arms Act.

29.08.2022

Present: Sh. Sukhbeer Singh, Ld. Addl. PP for the State.
Accused Azhar with Ld. Counsel Sh. Ravinder Panchal.

The matter is fixed for hearing arguments on the application for cancellation of warrants of arrest issued against the applicant/accused Azhar vide order dated 17.08.2022.

Today, on calling the case, accused Azhar has appeared alongwith his Counsel and submitted that since the wife of this accused was on family way and this accused was also taking care of his minor child, so, he could not appear on 17.08.2022 and this court had issued warrants of arrest against this accused Azhar and forfeited his bail bond/surety bond and notice to his surety was also ordered to be issued and submitted that absence of this accused was neither intentional nor willful and prayed for cancellation of NBWs issued against the applicant/accused Azhar.

On the other hand, Ld. Addl. PP for State has vehemently opposed the present application.

This court has chosen to record the statement of the accused regarding appearance of the accused in the court on each and every date of hearing at 10:00 AM in future. This court finds

that on dated 17.08.2022, when the matter was fixed for evidence of the accused, the accused absented, so, this court issued warrants of arrest against this accused and forfeited his bail bond/surety bond and also issued notice under Section 446 of Cr.P.C to his surety. This court does not find any cogent reason for his absence on dated 17.08.2022, however, in the interest of justice, **application filed by this accused Azhar for cancellation of NBWs issued against him stands allowed** but subject to fine of Rs. 5,000/-. Bail bond/Surety Bond of this accused are restored. Warrants of arrest issued against this accused and notice to his surety are cancelled.

At this stage, accused seeks one week's time to deposit the fine. Same is granted to him to deposit the said fine in the court.

In the above said terms, the application is disposed of.

Intimation in this regard be sent to the concerned Police Station.

(PAWAN KUMAR MATTO)
Addl. Sessions Judge (Special Judge NDPS)
North East/KKD Courts/Delhi/29.08.2022

At this stage, it is 12:00 noon, accused Azhar has again appeared and deposited the fine of Rs. 5,000/- in cash and Reader of this court is directed to issue fine receipt to the accused.

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Put up on the date already fixed i.e. **13.10.2022**.

(PAWAN KUMAR MATTO)
Addl. Sessions Judge (Special Judge NDPS)
North East/KKD Courts/Delhi/29.08.2022