

IA No.64/2024 in SC 80/2020
State Vs. Suraj Bhaita
FIR No. 526/2019
PS Jahangir Puri
U/s 302/323/34 IPC & 25/27 Arms Act

24.05.2024

Present: Mr. Nishant Kumar, Ld. Addl. PP for the State.
Mr. Sarthak Tomar, ld. Counsel for applicant/
accused.

File is taken up today in view of the application seeking cancellation of NBWs, moved on behalf of accused Suraj Bhatia.

Heard.

A perusal of the record shows that vide order dated 11.03.2024, NBWs had been directed to be issued against the applicant/accused Suraj Bhaita through SHO concerned, who is stated to be since absconding and other accused persons, who are family members of the said applicant also stated that they have no knowledge about their whereabouts.

From the application filed, it transpires that applicant/accused is involved in another FIR bearing no. 117/2024, PS Jahangir Puri U/s 307/323 IPC and it is submitted that applicant/accused had moved an anticipatory bail application qua the same before this Court, which was dismissed on 18.03.2024 and thereafter, Anticipatory Bail application is since pending before Hon'ble High Court of Delhi.

Accused had been granted bail by Hon'ble High Court in instant case bearing FIR No. 526/2019 and he has apparently misused the liberty and involved himself in another offence in FIR No. 117/2024 PS Jahangir Puri and has since been

absconding and did not appear before this Court.

Seeing the conduct of the applicant/accused, this Court is not inclined to cancel the NBW straightaway at this stage, however, in the wake of interim protection from arrest granted to the applicant/accused in other FIR bearing no. 117/2024 PS Jahangir Puri, the NBWs stands stayed till the next date of hearing, subject to cost of Rs.2000/- and directed to appear in this case regularly henceforth. Cost paid.

Application be put up for consideration on the date already fixed in the main case.

Copy of the order be given dasti to the ld. Counsel for the applicant/accused, as prayed for.

(Shefali Sharma)
Addl. Sessions Judge-02(North)
Rohini Courts Delhi
24.05.2024