

SC No. 404/2022
State Vs. Ubaid & Ors.
FIR No. 183/2022
PS: Shahdara

17.03.2025

Present: Sh. S.K. Dubey, Ld. Addl. PP for the State.

Accused persons are present.

Sh. Danish Khan, Ld. Counsel for accused Ubaid and Fazil.

1. Perusal of the record reveals that since the past two dates of hearing, accused Fazil failed to appear before the court hence, in order to secure his presence, bailable warrant and ultimately NBW was issued against him along with notice to his sureties.

2. Today, NBW of accused Fazil is received back with the report that his address is not traceable and no person with his name was found at the given address. It is reported on the notice issued to his surety Prem Singh that he had expired on 21.01.2023 and his other surety Sh. Irfan Ahmad is absent despite service. On being questioned, accused Fazil has even failed to tell the names of his sureties.

3. At this stage, Ld. Counsel for accused Fazil has moved an application seeking cancellation of NBW issued against the accused Fazil while submitting that accused Fazil could not appear before the Court on the last two dates of hearing as on one date his son was ill and on the another date, his wife was ill; that now accused Fazil has undergone complete reformation and undertakes that he will appear before the Court on each and every date of hearing and will follow

every condition mentioned in bail granted to him, therefore, coercive process issued against him may be cancelled and his surety may be restored.

4. Submissions heard. Record perused. In view of the aforesaid submissions and in the interest of justice, NBW issued against the accused Fazil is cancelled subject to cost of Rs. 2,000/-. Accused Fazil is directed to furnish one new surety on his behalf.

5. Since, accused Fazil has failed to furnish fresh surety and also considering the fact that address of the accused Fazil stands not verified, in order to secure his presence in future, accused Fazil is taken into custody in the present matter and is sent to JC. Custody warrant of accused Fazil be prepared forthwith. He be produced from JC from the NDOH.

6. Accused Imran has submitted that he has appeared from Kanpur, Uttar Pradesh but due to non-appearance of accused Fazil, the case could not proceed further, therefore, he may be permitted to appear through VC from the next date of hearing.

7. Submissions heard. Record perused. Accused Imran may appear through VC from the next date of hearing, unless directed to appear in person (physically).

8. Put up for PE on **15.05.2025**. PWs SI Desh Pal and Manoj Jain be summoned for next date of hearing.

(SURABHI SHARMA VATS)
ASJ-04/Shahdara/KKD Courts,
Delhi/17.03.2025

At 03:30PM

Present: Sh. S.K. Dubey, Ld. Addl. PP for the State.
Sh. Danish Khan, Ld. Counsel for accused Fazil.
Ms. Tamanna, proposed surety of the accused Fazil.

1. At this stage, Ld. Counsel for accused Fazil has appeared before the Court, paid the cost of Rs. 2,000/- and has furnished fresh Bail bond on behalf of accused Fazil.
2. Let the Bail Bond along with surety documents be verified for **18.03.2025**.

(SURABHI SHARMA VATS)
ASJ-04/Shahdara/KKD Courts,
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