

IA 6/24 in SC No. 3/19
FIR No. 416/2018
PS Karawal Nagar

18.11.2024

Present: Sh. Kamal Akhter, Ld. Addl. PP for the State.
Sh. V.S Chauhan, Ld. Counsel for applicant/accused.

This is an application seeking cancellation of proceedings initiated u/s 82 Cr.P.C against accused Yogesh.

It is submitted on behalf of applicant/accused that the applicant could not appear before this Court on 24.09.2024 and earlier on 20.08.2024, since he was suffering from T.B and was receiving treatment at GTB hospital. During the treatment the applicant/accused got to know that the he was also suffering from HIV AIDS and therefore the medicines for TB were not working properly on his body and thereafter he became extremely weak both physically and mentally. Therefore, the non appearance before this Court on 20.08.2024 and 24.09.2024 was neither deliberate nor intentional.

It is further submitted on behalf of applicant/accused that his surety, who is also his mother had currently undergone cataract surgery in her eyes and the applicant/accused was taking care of his mother.

As per the medical documents filed on behalf of the applicant/accused he is HIV AIDS positive and his treatment had began on 27.08.2024. The Ahlmad is directed to flag the current file in accordance with the rules, whereby the accused is suffering form HIV AIDS and the information of the present case be duly sent to the Hon'ble High Court of Delhi in prescribed format along-with the monthly report.

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In view of the submissions made on behalf of the applicant/accused, the present application stands allowed and the process issued u/s 82 Cr.P.C is hereby canceled. The previous bail bonds stands restored.

Let the copy of this order be sent to IO/SHO concerned for information and complainece.

Now to come up for further proceedings on date already fixed i.e. **25.11.2024**.

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ASJ (FTC)/North-
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