

SC NO. 399/2019
IA NO. 16/23
STATE VS. SACHIN @ ADDI & ORS.
FIR NO. 222/2019
PS GTB ENCLAVE

06.06.2023

Present: Sh. Anil Kumar, Ld. Addl. PP for State.
None for the applicant/accused despite repeated calls till
2.35 pm.

This is an application for cancellation of non-bailable warrants and proceedings under Section 82 Cr.PC moved on behalf of accused Tarun Seth stating that the accused could not appear due to marriage of his sister.

Perusal of the file shows that NBWs of Tarun Seth was issued on 26.07.2022, thereafter, as the accused still did not appeared his exemption application was not considered on 01.12.2022 and process under Section 82 Cr.PC was issued. Accused was declared P.O. on 06.02.2023 and after he was declared P.O., he was arrested on 06.02.2023 and was sent to JC as he was declared P.O. He is no more on bail, therefore, this application for cancellation of NBWs is not maintainable. The appropriate course is that the accused should have applied for bail instead of moving an application for cancellation of NBWs. Thus, at this stage, the application in hand is not maintainable and is accordingly, dismissed.

(KIRAN BANSAL)
ASJ-04, Shahdara/KKD Courts,
Delhi/06.06.2023