

1 SC 161/2018
STATE Vs. SHYAM MURTI alias SHYAMU
93/2010
(R.K. Puram)
U/S-92/397/34 IPC
CNR-DLST01-001804-2018

19.03.2026

Present: Mr. Santosh Kumar, Addl. Public Prosecutor for State.

Mr. Ashok Kumar Tiwari, learned counsel for the accused.

Accused Shyam Murti alias Shyamu is absent.

1. At request, matter be kept back for the appearance of the accused.

At 1032 Hrs

Present: Mr. Santosh Kumar, Addl. Public Prosecutor for State.

Mr. Ashok Kumar Tiwari, learned counsel for the accused.

Accused Shyam Murti alias Shyamu is present.

Mr. Vinayak Sharma, surety for the accused - Shyam Murti alias Shyamu.

2. The non-bailable warrants issued against accused Shyam Murti alias Shyamu received back unexecuted, however, the accused Shyam Murti alias Shyamu is present and has moved an application seeking cancellation of non-bailable warrants.

3. The learned counsel for the accused submits that the accused had noted incorrect dates and on account of inability to contact the counsel, he was unable to appear before the Court on the last date of hearing. The learned counsel further submitted that the non-appearance of the accused on the last date of hearing was neither deliberate or intentional, The learned counsel further submitted that the applicant is willing to abide by any terms and conditions as imposed by the Court.

4. Heard.

5. Case record perused.

6. In light of the averments made in the application and the submission advanced by the learned counsel for the accused person, the issuance of non-bailable warrants is dispensed with as the accused is present today and the reason for his non-appearance on the last date of hearing is accepted. However, the Court deems fit to saddle costs of ₹2000/- upon the accused person for non-appearance and causing delay in the trial.

7. Let the costs of ₹2000/- be paid by the accused with the Saket Court Bar Association and the proof of deposit of cost be filed during the course of the day itself.

8. At this stage, learned counsel for the accused submits that the surety of the accused, Naresh Kumar (*bail bonds and surety bonds had been accepted on 22.07.2011*) has died and today, Vinayak Sharma, who is the nephew of the accused is willing to stand surety. The fresh bail and surety bonds tendered by the accused and the

surety for a sum of ₹25,000/- in the form of FDR No. 090724 drawn on The Jammu & Kashmir Bank Ltd, Branch – Chan Arorian Kathua-0062 are taken on record subject to the verification report.

9. Let the verification report of the bail bonds and surety bonds be called, returnable for the next date of hearing i.e., **08.05.2026**. Further, let an intimation be sent to the concerned branch manager of The Jammu & Kashmir Bank Ltd, Branch – Chan Arorian Kathua-0062 and be informed that necessary endorsements be made and under no circumstances, the same be liquidated without further orders from this Court.

10. Now to come up **for P.E.**, let fresh summons be issued to PWs –First IO/SI Ali Mohd. (retired), IO/Inspector K.P.Rana and MHC(M), PS - R.K. Puram returnable **for 08.05.2026**.

At 1115Hrs

11. Receipt of cost of ₹2000/- paid by the accused with the Saket Court Bar Association filed. Same is taken on record.

12. Put up for date and purpose already fixed i.e., **08.05.2026**.

(Hargurvarinder Singh Jaggi)
ASJ (FTC)–01, South District
Saket, New Delhi/19.03.2026
EB