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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.A. 449/2009

AMIT

.....Appellant

Through: Appellant (in-person).

versus

STATE THROUGH DELHI ADMINISTRATIONRespondent

Through: Ms. Shubhi Gupta, APP for the State
with SI Mayank Istwal with HC
Shyam Kumar, P.S.: Kalyanpuri,
Delhi.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

17.12.2024

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Though the appellant's sentence was suspended *vide* order dated 05.06.2009, *vide* order dated 01.05.2023 NBWs were issued against the appellant since he had failed to appear in this court at the stage of hearing of this criminal appeal.

2. Ms. Shubhi Gupta, learned APP appearing for the State submits, that against the fresh NBWs issued *vide* last order dated 30.09.2024 the appellant has now been arrested.
3. The appellant has been produced before the court today. The court has interacted with him. He explains that it was not his intention to abscond but could not appear since the counsel engaged by him had demanded a fee that he could not afford.
4. Order dated 30.09.2024 records that since the person who had stood surety for the appellant had said that he did not have any control over the appellant, *vide* order dated 01.05.2023, the surety was forfeited and the surety bond was discharged.



5. Subsequently on 10.10.2023, learned counsel had appeared on behalf of the appellant and had sought time to file a *vakalatnama*; thereafter however, no one appeared on behalf of the appellant on 25.01.2024 and 09.05.2024.
6. In view of the above, what is being stated by the appellant appears to be correct.
7. In view thereof, the sentence imposed upon the appellant is suspended pending decision of the appeal, subject to the appellant furnishing a personal bond in the sum of Rs. 20,000/- with 01 surety in the like amount to the satisfaction of the learned Joint Registrar, within 04 weeks.
8. For the above purpose, re-notify before the learned Joint Registrar on 13th January 2025.
9. As requested by the appellant, it is directed that a legal-aid counsel be appointed to represent the appellant in the present appeal.
10. Accordingly, the Secretary, Delhi High Court Legal Services Committee ('DHCLSC') is directed to appoint an appropriate legal-aid counsel for the above purpose.
11. Let the needful be done before the next date. Let a copy of this order be sent to the Secretary, DHCLSC for information and compliance *forthwith*.
12. Let the matter remain on the Regular Board, to be taken-up in due course, at its turn.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 17, 2024/ss