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

+ **CRL.M.C. 849/2019**

RAHULPetitioner
Through: **Mr. Pujya Kumar Singh and Ms.
Manu Bala, Advocates**

versus

THE STATE Respondent
Through: **Mr. Izhar Ahmad, Additional
Public Prosecutor**

**CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR**

ORDER

% **14.02.2019**

CRL.M.A.3409/2018 (Exemption)

Allowed subject to all just exceptions.

CRL.M.C. 849/2019

Non-bailable warrants have been issued against petitioner vide order of 11th December, 2018 in FIR case in which petitioner is on bail.

Learned counsel for petitioner submits that application for recalling/cancellation of non-bailable warrants has been moved by the applicant and due to ill health, he could not appear before trial court and now, the matter is coming up before trial court on 15th February, 2019 for consideration on the application for cancellation of non-bailable warrants. The apprehension expressed is that before passing orders on petitioner's application, he will be taken into custody if he appears before trial court.

Upon hearing, I find that the apprehension expressed is mis-conceived. Upon petitioner appearing before trial court tomorrow i.e.

15th February, 2019, orders on the application for cancellation of non-bailable warrants be passed, but petitioner be not taken into custody for a period of one week to enable him to have recourse to law in case his application for cancellation of non-bailable warrants is dismissed by trial court.

With aforesaid directions, this petition is disposed of.

Dasti to petitioner's counsel.

(SUNIL GAUR)
JUDGE

FEBRUARY 14, 2019

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