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

+ CRL.A. 325/2005

LALIT KUMAR @ DAMRU

..... Appellant

Through: Mr. Saurabh Kansal, Advocate

versus

STATE of GNCT OF DELHI

..... Respondent

Through: Mr. Amit Ahlawat, APP with SI P.R.
Hudda

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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08.02.2019

The surety has deposited Rs.25,000/- with the Cashier in the Registry, photocopy of the receipt has been placed on record, this also having been confirmed by the office note on part-B of the record.

The non-bailable warrant has been returned unexecuted by SHO of police station Sector-23, Dwarka vide his report dated 08.02.2019. A perusal of the report would show that the appellant is evading execution of the non-bailable warrant, he having rendered himself untraceable for the last several years. The appellant was released on bail, the remaining sentence having been suspended by order dated 07.07.2006. He has failed to appear on the appeal being taken up.

It is clear from the reports that the appellant is absconding.

Against this backdrop, the course adopted by the division benches of this Court in *Mukesh vs. State* 2008 SCC Online Del 877 and *Kamlesh vs. State* 2009 SCC Online Del 3729 commends itself to be followed. Since the appellant, who was enlarged on bail, is deliberately keeping himself away not prosecuting the appeal, it being rendered manifestly an abuse of the process of the court, the appeal is dismissed. Coercive steps will be taken by the trial court against the appellant, to ensure, he serves the sentence awarded in the case, the SHO of police station being obliged to render all assistance.

R.K.GAUBA, J

FEBRUARY 08, 2019

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