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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 477/2025 & CRL.M.A. 3348/2025**
JAVEDPetitioner

Through: Mr. R. P.S. Bhatti, Adv.

versus

THE STATE (GOVT OF NCT OF DELHI)Respondent
Through: Mr. Aashneet Singh, APP with PSI
Singh Mahi, PS Mayur Vihar and

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

% **ORDER**
18.02.2025

1. This is a petition seeking regular bail in F.I.R No. 179/2021 under Sections 308/34 of IPC registered at PS Mayur Vihar.
2. In the present FIR, the petitioner was granted regular bail by the learned Sessions Court. Thereafter, the petitioner did not appear before the learned Trial Court and NBWs were issued against him on 27.08.2024.
3. Even though the application for cancellation of NBWs was filed, the petitioner did not appear.
4. The same happened again on 05.10.2024. Application for cancellation of NBWs was moved on 16.10.2024 and on that day, the petitioner appeared, but since the said application was dismissed, the petitioner was taken into custody.
5. On 07.11.2024, the bail application moved by the petitioner was



dismissed and again on 30.11.2024 and lastly on 18.01.2025.

6. The petitioner was already granted bail on merits and the bail application has only been dismissed on the ground that the petitioner did not appear in Court proceedings. The purpose of NBW is to ensure presence of the petitioner/accused before the Court. Issuance of NBW cannot be a ground to deny the benefit of bail to the petitioner already granted, specially when the petitioner undertakes to appear in Court on each and every date of hearing. Hence, I am inclined to allow the petition and grant bail to the petitioner subject to the following terms and conditions:-

- a. The petitioner shall furnish a personal bond in the sum of Rs 10,000 (Rupees ten thousand only) each with 1 surety in the like amount, to the satisfaction of the concerned trial court;
- b. The petitioner shall not leave the country without the permission of the concerned court and if the petitioner has a passport, he shall surrender the same to the concerned trial court;
- c. The petitioner shall furnish to the IO concerned the cell phone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched on at all times;
- d. The petitioner will furnish his permanent address to the concerned IO and in case he changes his address, he will inform the IO concerned;
- e. The petitioner shall not indulge in any act or omission that is unlawful, illegal or that would prejudice the proceedings



in pending cases, if any;

- f. The petitioner shall appear on each and every date of hearing before the concerned court unless and until exempted by the court;
 - g. The petitioner shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.
7. The application is allowed and disposed off in the aforesaid terms.
8. *Order dasti.*

JASMEET SINGH, J

FEBRUARY 18, 2025/pk

Click here to check corrigendum, if any