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

**CRL.M.C. 2538/2025**

SHAH ALAM

.....Petitioner

Through: Mr. Muhammad Arif &  
Mr. Zafruddin Zafar, Advs.

versus

STATE OF NCT DELHI  
AND ANR

.....Respondents

Through: Ms. Kiran Bairwa, APP for  
the State  
SI Navdeep, PS-  
Govindpuri  
Mr. Madhav Khurana, Sr.  
Adv. with Mr. Shashank  
Khurana, Ms. Sanjivani  
Patljoshi & Ms. K. Bansal,  
Advs.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT MAHAJAN**

**ORDER**

% 16.04.2025

**CRL.M.A. 11377/2025 (for exemption)**

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

**CRL.M.C. 2538/2025 & CRL.M.A. 11378/2025 (for interim stay from arrest)**

3. The present petition is filed challenging the order dated 27.03.2025 passed by the learned Trial Court rejecting the petitioner's application seeking cancellation of Non-Bailable Warrants ('NBWs') and exemption from personal appearance.
4. The learned Trial Court noted that NBWs issued against the petitioner was received back with the report that he is not residing at the given address.
5. The petitioner also did not appear before the learned Trial Court on 27.03.2025, which was the returnable date.
6. The petitioner, though contended that he could not appear



on the said date since his wife had fallen sick and he had to leave for his home town, the documents in support of his contention were not produced before the learned Trial Court.

7. I, therefore, find no infirmity in the order passed by the learned Trial Court.

8. The learned counsel for the petitioner submits that the petitioner had no intention to not appear and for the said reason, his Advocate had filed an application seeking exemption from personal appearance.

9. He submits that the petitioner, at this moment, is in his native village in Bihar. He submits that he will appear before the learned Trial Court on 21.04.2025 since some time would be taken for him to travel. The learned counsel submits that the petitioner will not seek unwarranted adjournments and will appear in person on every date.

10. Considering the submissions and in the interest of justice, this Court is of the opinion that one last opportunity be granted to the petitioner to appear before the learned Trial Court.

11. In view of the above, the present petition is allowed and the NBWs issued against the petitioner in SC No. 5216/24 are set aside.

12. The petitioner is directed to appear before the learned Trial Court on 21.04.2025 at 10:00 AM.

**AMIT MAHAJAN, J**

**APRIL 16, 2025**

**“SS”**