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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 4583/2025 & CRL.M.A. 35361-35362/2025

SUSHEEL@SONU

.....Petitioner

Through: Mr. Amaan Shreyas, Mr. Mannat
Tipnis, Mr. Manish Kumar,
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Hemant Mehla, APP for the State
with SI Mitthan Lal, PS Sarita Vihar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

27.11.2025

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1. This application under Section 483 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Sections 439 and 482 of the Code of Criminal Procedure, 1973²) seeks regular bail in the proceedings arising from FIR No. 157/2018 dated 16th June, 2018, registered under Sections 385, 506 and 34 of the Indian Penal Code, 1860³ at P.S. Sarita Vihar.
2. The Petitioner was granted regular bail on 13th September, 2018 and since then he has been regularly appearing before the Trial Court.
3. On 08th October, 2025, when the Petitioner did not appear in person before the Trial Court, an exemption application was moved by the junior counsel representing him, which did not disclose any reason for his absence. The Trial Court consequently forfeited the bail and surety bonds, issued

¹ "BNSS"

² "CrPC"

³ "IPC"



Non-Bailable Warrants against the Petitioner, and issued notice to the sureties. Thereafter, on an application filed by the Petitioner seeking cancellation of the NBWs, the Trial Court declined the request observing that the reasons furnished were vague and cryptic. The Petitioner was accordingly taken into custody on 25th October, 2025.

4. Mr. Amaan Shreyas, counsel for the Petitioner, argues that the Petitioner had consistently appeared before the Trial Court and that the lapse occurred only on a single date. He contends that although the exemption application did not appropriately articulate the reasons for absence, the Trial Court failed to appreciate that before the returnable date for execution of the NBW, the Petitioner had voluntarily appeared to seek cancellation of the NBWs and had also deposited the bail bond amount that had been forfeited.

5. In the opinion of this Court, although the Petitioner ought to have been regular in his attendance, there is no material to indicate any pattern of abscondence that would warrant the imposition of such a stringent measure. In these circumstances, the Petitioner's request merits acceptance. Accordingly, the Petitioner is directed to be released on bail on the same terms and conditions as imposed by the Sessions Court *vide* order dated 13th September, 2018.

6. Accordingly, the present application is disposed of along with pending application(s). Petitioner shall furnish fresh bail bond and surety before the Trial Court.

SANJEEV NARULA, J

NOVEMBER 27, 2025/ab