



2026:DHC:4917



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

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Date of Decision: 29.05.2026

+ **CRL.M.C. 4368/2026, CRL.M.A. 17631/2026 & CRL.M.A. 17630/2026**

RITIK

.....Petitioner

Through: Mr. Abhinav Sekhri and Mr. Aru
Vashisht, Advocate

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with Kishore Prasad.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. Petitioner, facing trial for offences punishable under Section 309(6)/311/317(2)/3(5) BNS has assailed order dated 22.05.2026 of the learned trial court, whereby his application for recall of non-bailable warrants was dismissed. The learned trial court dismissed the said application largely on the ground that earlier also on 10.09.2025 the petitioner abstained and non-bailable warrants had to be issued, which were



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recalled on 26.11.2025 upon his appearance. According to learned trial court, the petitioner exhibited propensity to abstain from trial.

2. Learned APP for State assisted by IO/SI Kishor accepts notice and submits that the present petition may be allowed subject to heavy cost in order to deter the petitioner from any further abstention.

3. Learned counsel for petitioner has taken me through Annexure P-6 (colly) to the application, which are copies of the ordersheets of the learned trial court.

4. The basic purpose of the impugned order and for that matter any process issued by the trial court is to ensure that the accused makes himself available to appear before the trial court on every date of hearing. Especially in a case of present nature where the petitioner allegedly snatched a purse of the complainant *de facto* has to be identified during trial as well, and for that purpose, the petitioner ought to have remained present. According to the impugned order, the complainant *de facto* had to be sent back unexamined as the petitioner did not appear.

5. In the overall circumstances described above, the present petition is allowed and the impugned order is set aside subject to the petitioner depositing cost of Rs.10,000/- with DLSA, West within two weeks. Consequently, non-bailable warrants ordered against the petitioner are



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recalled. However, the petitioner is warned to be diligent in appearance before the trial court. Accompanying application also stands disposed of.

MAY 29, 2026/as

**GIRISH KATHPALIA
(JUDGE)**