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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% ***Date of Decision: 28th January, 2026***

+ CRL.M.C. 576/2026
SUBHEG SINGH

.....Petitioner

Through: Ms. Kajal Gautam with Ms.
Aishwarya Singh, Advocates.

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Satinder Singh Bawa, APP with SI
Deepak Kumar.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CRL.M.C. 576/2026& CRL.M.A. 2878/2026(early hearing)

1. Petitioner seeks recalling/cancellation of Non-Bailable Warrants issued by the learned Trial Court on 08.01.2026 in FIR No.0176/2022 dated 16.02.2022, registered at P.S. Lajpat Nagar, under Sections 307/506/427/147/148/149/120-B IPC.
2. The main petition is listed for 09.02.2026. However, in the interregnum, an application has been moved by the applicant seeking early hearing as he apprehends arrest in between.
3. Learned APP for the State appears on advance notice and with the consent of both the sides, the matter is taken up today itself.
4. The early hearing application i.e. CRL.M.A 2878/2026 stands disposed of in aforesaid terms.
5. Next date of hearing i.e. 09.02.2026 stands cancelled.
6. The order dated 08.01.2026 indicates that one material witness was present for cross-examination and he was cross-examined by all the accused



except for the applicant i.e. Subheg Singh @ Shibbu.

7. The applicant's advocate had, though, appeared and sought adjournment, fact remains that his such newly engaged counsel did not even bother to file any *vakalatnama*. Moreover, it came to the notice of the learned Trial Court that accused Subheg Singh had left the Court premises without informing the Court or seeking any prior permission.

8. Such conduct of the applicant compelled the learned Trial Court to form an opinion that the only objective of applicant was to deliberately harass the witness, and while closing his right to cross-examine the witness, it also issued Non-Bailable Warrants against him.

9. The conduct of the applicant is writ large.

10. Since a material witness had appeared that day, he should not have left the proceedings mid-way, without informing and without seeking permission of the Court. His counsel should have also rather, cross-examined the abovesaid witness.

11. Undoubtedly, though the applicant filed an application before the learned Trial Court seeking cancellation of Non-Bailable Warrants, his such application was dismissed by the learned Trial Court on 13.01.2026.

12. During course of the arguments, learned counsel for applicant assured that on all subsequent dates, the applicant Subheg Singh @ Shibbu shall appear before the learned Trial Court and would not cause any unnecessary delay in the disposal of the ongoing matter.

13. Without going deeper into the reason as to why the applicant had left the proceedings mid-way and in the interest of justice, the present application is allowed and the NBWs issued by the learned Trial Court on 08.01.2026 are hereby recalled.



14. The applicant is, however, burdened with cost of Rs. 25,000/-, for causing delay in the trial. He shall deposit the same with the learned Trial Court on the date fixed i.e. 23.02.2026.

15. Petition stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

JANUARY 28, 2026/sw/sa