**In The Court Of Ld. Chief Judicial Magistrate At Shimla**

Cr. M. P. [M] No: \_\_\_\_\_\_of 2004

Complainant

Versus

Respondent/Accused

Application under Section 70 (2) of Criminal Procedure Code with the prayer to cancel the Non-bailable Warrants of arrest in Case\FIR No. \_\_ dated \_\_, passed by the Ld. Court.

Respectfully Sheweth:

1. That the applicant hereinabove is a law abiding citizen and has highest regards for the orders of this Hon'ble Court and can not think of flaying the same.  The applicant is quite conscious that he is  under an obligation to maintain high dignity and majesty of this Hon'ble court.

2. That the applicant has not flouted the authority of this Hon'ble court and not neglected or refused to attend this Hon'ble court willfully.  But for the inescapable circumstances and just excuse hereinafter mentioned, the applicant would have been present before this Hon'ble court on \_\_.

3. That on \_\_ the case was fixed for \_\_ .  The applicant could not attend this Hon'ble court due to the reason that \_\_.  This Hon'ble court was pleased to issued Non-bailable Warrants of arrest of the applicant.  It is submitted that the absence was neither willful nor intentional but for the genuine and reasonable reasons stated hereinabove.

4. That in the given circumstances of the case, if this Hon'ble court comes to the conclusion that technically any disobedience of the orders of this Hon'ble court has been committed by the applicant, in that eventuality the applicant tender his unconditional apology and beg to be pardoned.

5. It is therefore, most respectfully prayed that your honour be pleased to cancel the Non-bailable Warrants issued on \_\_ in the interest of justice.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE APPLICANT AS IN DUTY BOUND, SHALL EVER PRAY.

Shimla                                                                          Applicant\Petitioner                \_\_\_\_\_\_                                                                        Through, Advocate

**IN THE HON'BLE DISTRICT AND SESSION COURT AT SHIMLA**

Cr. M. P. [M] No:\_\_\_\_\_\_ of 2004

                                                            Applicant\Petitioner

                                       Versus

                                                            Respondent/Accused

Affidavit in support of application under Sec 70 (2) of Cr. P. C.

I,\_\_\_\_\_\_, do hereby solemnly affirm and declare as under :-

1. That the accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_  of the accompanying application are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is true, no part of it is false and nothing material has been concealed therein.

Affirmed at Shimla this the \_\_\_\_\_\_.

Deponent