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

+ BAIL APPLN. 193/2016

MOHD. ALAM

..... Petitioner

Through Mr.Suhail Khan, Advocate.

versus

STATE GOVT OF NCT OF DELHI

..... Respondent

Through Ms.Manjeet Arya, APP with SI
Dinesh Kumar, PS Jaitpur.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% **28.01.2016**

The present application has been filed by the petitioner under Section 438 Cr.P.C. for the grant of bail in FIR No.769/2015, under Sections 307/341/34 IPC, Police Station Jaitpur.

The allegations levelled in the present case are that on the day of incident, the present petitioner/accused Mohd. Alam asked his co-accused Nooruddin to shot the complainant/injured Vikas Chabra and then the co-accused Nooruddin fired a gun shot at the injured which hit him on his left arm. The arm and shirt of the injured were stained with blood. Thereafter, the petitioner/accused Mohd. Alam and Nooruddin fled away from the spot on their motorcycle.

I have heard the arguments advanced by the learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Apparently, the interim protection was granted to the petitioner by the Court of Sessions. Initially, the petitioner joined the investigation but later on he did not join the investigation and his bail application was dismissed on 11.01.2016 by the learned Additional Sessions Judge.

The learned APP has submitted that the present petitioner as well as co-accused Nooruddin are absconding and NBWs are operative against them.

In support of the contentions made, learned counsel for the petitioner has referred to a judgment in case of ***Firoz @ Sahil v. State (Govt. of NCT of Delhi), 121 (2005) DLT 493.***

At this stage, counsel for the petitioner wishes to withdraw the present petition.

Consequently, the present petition is dismissed as withdrawn.

P.S.TEJI, J

JANUARY 28, 2016/dd