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

+ **CRL.M.C. 1886/2016 & CrI.M.A. 8039/2016**

CENTRAL BUREAU OF INVESTIGATION

..... Petitioner

Represented by: Mr. Anupam S. Sharma, Spl. PP

versus

FREEMAN ANOSIKE ALUMA @ MOON

..... Respondent

Represented by: Mr. Anoop Kr. Gupta, Adv.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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14.12.2016

Since 12th December, 2016 was declared a holiday vide notification No.701/G-4/Genl./DHC the matter is being taken up today.

The prayer of the petitioner CBI in the present petition is of setting aside the order dated 29th April, 2016 granting bail to the respondent in RC-CY1 2008-E-0003 under Sections 120B and 379 IPC and Section 66 of the Information Technology Act.

This Court had called for a report from the learned Trial Court explaining the reasons for delay in trial. As per the report received the respondent had earlier been granted bail by this Court on 10th July, 2009 pursuant to which he was on bail since 5th September, 2009. However due to non-appearance before the Trial Court non-bailable warrants were issued against the respondent on 17th November, 2014 and he was declared a

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proclaimed offender on 30th June, 2015. The respondent could be arrested only in 2015 where after trial re-started. As per the report 17 witnesses have been examined and PW-18 has partly been examined and the next date fixed before the Trial Court for completion of the remaining prosecution evidence is 15th and 16th December, 2016. The learned Trial Court has assured that the trial would be concluded expeditiously.

Considering the fact that the trial is at the fag end and is likely to conclude within one month for the reason learned counsel for the respondent states that the respondent is not likely to lead any defence evidence, the order dated 29th April, 2016 is set aside.

Petition and application are disposed of with a request to learned Trial Court to conclude the trial as expeditiously as possible.

Mukta Gupta
MUKTA GUPTA, J

DECEMBER 14, 2016
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