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

+ BAIL APPLN. 1180/2016

RAM SHARAN ROY

..... Petitioner

Through: Mr. Anand Sharma, Advocate

versus

GOVT OF NCT DELHI & ORS.

..... Respondent

Through: Mr. Ashish Dutta, APP with SI Amit Solanki, PS- Vasant Vihar

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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01.06.2016

CRL.M.A.9282/2016 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

BAIL APPLN.1180/2016

The present application under Section 439 of the Code of Criminal Procedure, 1973 (hereinafter referred to as 'the Code') seeks regular bail in FIR No.370/2016 dated 14.03.2016, under Sections 420/34 IPC, registered at Police Station- Vasant Vihar.

Learned counsel appearing on behalf of the applicant has invited my attention to the circumstance that the complainant in the subject FIR has expressed a desire to compound the alleged offence and has already received a sum of Rs.1,69,000/- (Rupees One Lakh Sixty Nine Thousand only) from the accused, the petitioner herein, in this behalf. Learned counsel appearing on behalf of the applicant further invites my attention to an order dated 20.05.2016, whereby the application under Section 320 of the Code, seeking compounding of the subject offence has been rejected by the concerned MM on the solitary

ground that investigation is still pending.

Without going into the question of whether compounding of offence is subject to the conclusion of investigation and filing of challan, in view of the circumstance that the Investigating Officer in the subject FIR, namely, SI Anil Solanki, Police Station- Vasant Vihar, states that the charge sheet shall be filed before the court of competent jurisdiction, within a period of five working days from today, the applicant is granted leave to withdraw this application, with liberty to approach the trial court afresh, thereafter with an appropriate application, in accordance with law.

With the above directions, the application is disposed of.

SIDDHARTH MRIDUL, J

JUNE 01, 2016
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