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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1351/2016**
RAKESH AWASTHI

..... Petitioner

Through: Mr. Rakesh Kumar Yadav, Advocate

versus

STATE

..... Respondent

Through: Mr. M.P. Singh, Additional Public
Prosecutor for the State with Sub-
Inspector Birender Singh, Police
Station Sagarpur, Delhi

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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12.07.2016

Crl. M.A. No.10246/2016 (Exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

Bail Appln. No. 1351/2016

By the petition, the petitioner seeks anticipatory bail under Section 438 read with Section 482 of the Cr. P.C. in FIR No. 792/2015 under Section 498A/406/34 of IPC registered at Police Station Sagarpur, Delhi.

The main ground for filing the present bail application is that the application of the petitioner was dismissed in default and non-prosecution and there was no order on the application on the merit of the application. However, learned counsel for the petitioner seeks permission to withdraw the present application with liberty to approach the Court of Sessions to pass a fresh order on the application on merit.

In view of the aforesaid stand taken by learned counsel for the petitioner, the present bail application filed by the petitioner is dismissed as withdrawn with liberty to the petitioner to move an appropriate application for restoration of the bail application filed before the Court of session by 15th July 2016.

Till then, the petitioner be not arrested in this case.

With aforesaid directions, the present petition stands disposed of.

P.S.TEJI, J

JULY 12, 2016
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