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

+ **BAIL APPLN. 1361/2016**

ALOK AWASTHI

..... Petitioner

Through Mr.Roop Narain, Adv.

versus

STATE

..... Respondent

Through Mr.Izhar Ahmad, APP with SI
Birender, PS Sagarpur.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% **13.07.2016**

Crl. M.A. No.10309/2016 (Exemption)

Exemption allowed subject to all just exceptions.

Bail Appln. No.1361/2016

By this 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stand taken by learned counsel for the petitioner, the present bail application filed by the petitioner is dismissed as withdrawn with liberty to the petitioner to move an appropriate application for restoration of the bail application filed before the Court of Sessions by 15th July 2016.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 13, 2016
dd