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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3922/2012

VIJENDER SINGH & ANR.

..... Petitioner

Through

Mr.Parag Chawla and Mr.K.K.Sharma,
Advocates

versus

STATE & ANR.

..... Respondent

Through

Mr.Akshai Malik, APP for State with SI
Vinay, PS Ranjit Nagar.
Mr. Sunil Khanna, Advocate for R-2

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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25.05.2016

Crl. M.A. No. 9401/2015 (for restoration)

Vide this application, the petitioner seeks restoration of the petition which was dismissed in default. Besides contesting the application on merits, learned counsel for the respondent further submits that the petition itself has now become infructuous as this petition has been filed for cancellation of anticipatory bail, however, after the filing of the charge sheet, the respondent was granted regular bail and has been attending the trial for the last more than three years, hence, the application for cancellation of anticipatory bail does not survive.

There is force in this submission. Keeping in view that after the grant of anticipatory bail, of which cancellation is sought by the petitioner by filing this petition much water has flown in as after the filing of the charge sheet, respondent No.2 has been released on regular bail. Therefore, the petition itself has become infructuous. That being so, no purpose will be served by restoring this petition.

Accordingly, the application is dismissed.

SUNITA GUPTA, J

MAY 25, 2016/rs