

65# \$~

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

+ **CRL.M.C. 4324/2016**

RAM KISHAN SINGH

..... Petitioner

Represented by: Mr. A.M. Dar and Mr. P.S.
Nahar, Advocates.

versus

STATE & ANR

..... Respondents

Represented by: Ms. Rajni Gupta, APP for the
State with SI Ravi Shankar, PS
Saket.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

21.11.2016

Crl. M.A. No. 18009/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 4324/2016

1. By this petition the petitioner seeks setting aside of the order dated 22nd October, 2016 granting anticipatory bail to the respondent No.2 by the learned Additional Sessions Judge.
2. Learned counsel for the petitioner submits that the main grievance of the petitioner is that the order granting anticipatory bail was passed despite the fact that the respondent No.2 did not join the investigation.
3. Issue notice.
4. Learned APP accepts notice on behalf of the State.
5. Learned APP on instructions from the Investigating Officer SI Ravi

CRL.M.C. 4324/2016

Page 1 of 2

Shankar submits that though notices were issued to the respondent No.2 to join the investigation on 15th and 16th September, 2016 and 6th October, 2016 however, after grant of anticipatory bail by the learned Additional Sessions Judge on 22nd October, 2016 no notice for joining the investigation has been given to respondent No.2. Thus, at this stage it cannot be said that the Investigating Officer wants the interrogation of the respondent No.2 or that despite notice he has not appeared.

6. Petition is dismissed as pre-mature. However, it is clarified that this order will not be an impediment for the Investigating Officer to issue notice to respondent No.2 to join the investigation, if required for the same.

MUKTA GUPTA, J.

NOVEMBER 21, 2016

‘vn’