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

+ **BAIL APPLN. 2090/2016**

AMAN

..... Petitioner

Through : Mr.Amit Rao, Advocate.

versus

STATE

..... Respondent

Through : Ms.Meenakshi Dahiya, APP with
Insp.Uma Datt, PS Mangolpuri.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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01.02.2017

CRL.M.A.No.18987/2016

1. Learned counsel for the petitioner informs that due to bona fide belief it was presumed that the Bail Application 2090/2016 has since been dismissed as withdrawn on moving of the application (Crl.M.A.No.18987/2016).

2. Perusal of the file reveals that Crl.M.A.No.18987/2016 was filed for withdrawal of the instant bail application and it was to be taken up for consideration on 05.12.2016. On that day, none appeared on behalf of the petitioner and the application was ordered to be listed on 20.12.2016. On that day, the petitioner's counsel informed about grant of bail by the Sessions Court on 15.12.2016.

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3. Learned counsel for the petitioner was confronted as to why the learned Sessions Court was not informed about the pendency of the Bail Application 2090/2016. Feeling sorry, he stated that he was of the bonafide belief that on 05.12.2016 the bail application was dismissed as withdrawn.

4. Since the complainant did not support the prosecution and the learned Trial Court granted bail on merits, the petitioner is permitted to withdraw the present Bail Application 2090/2016 which has since become infructuous.

5. Trial Court record be sent back forthwith.

S.P.GARG, J.

FEBRUARY 01, 2017 / tr