

\$~4

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

+ **BAIL APPLN. 1126/2017**

SHIVAM

..... Petitioner

Through Mr.Santosh Singh Baggal, Advocate

versus

STATE

..... Respondent

Through Ms. Kusum Dhalla, APP for State

CORAM:

JUSTICE S.MURALIDHAR

ORDER

%

12.06.2017

Crl. M.A.No. 9919/2017 (Exemption)

1. Allowed, subject to all just exceptions.

Bail Appln. No. 1126/2017

2. Issue notice. Ms. Kusum Dhalla, the learned APP accepts notice.

3. It appears that the lawyer of the Petitioner wrongly noted the next date in the application for anticipatory bail. As a result the Petitioner was unable to remain present when his case was listed before the learned ASJ-01, North, Rohini on 24th May 2017.

4. The Court is satisfied that there was a bona fide mistake by the lawyer of

the Petitioner in noting the date. In the circumstances, the rejection of the Petitioner's anticipatory bail application by the learned ASJ on 1st June, 2017 was not warranted and the said order is accordingly set aside. Resultantly, Bail Application No.1652/2017 stands revived before the learned ASJ-01, North, Rohini. The conditional anticipatory bail order that was in force as of 24th May 2017 is also restored and will continue till the next date before the learned ASJ-01 subject to further orders by the learned ASJ-01 North, Rohini.

5. The aforementioned Bail Application No.1652/2017 shall be listed before the learned ASJ-01, North, Rohini on 15th June, 2017. It is made clear that the Petitioner shall appear before the learned ASJ-01 on 15th June, 2017 without fail. It will be open to the learned ASJ -01 to proceed thereafter in accordance with law.

6. The petition is disposed of in the above terms.

7. Dasti.

S.MURALIDHAR
(VACATION JUDGE)

JUNE 12, 2017
mw