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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 1346/2017
SAHAJAHAN MOLIYA @ BAPI Petitioner
Through: Mr. Azhar Qahum, Advocate.
versus

STATE Respondent
Through: Mr. Akshai Malik, APP for State.

CORAM:
HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **25.09.2017**

In terms of order dated 03.08.2017, the death of the complainant has been verified and the additional status report has been filed.

Learned counsel for the petitioner submits that the other two accused have already been released on bail and as far as present accused/petitioner is concerned, there is no other material witness except the complainant.

Earlier, on 03.06.2016, the learned Additional Sessions Judge has dismissed the application of the petitioner/accused on the ground that he is not a resident of Delhi and was the main accused.

The petitioner has now raised a new ground in the present application that the complainant has expired and there is no other material evidence against him. In the fitness of things, he should have first approached the Trial Court on the new ground now taken by him in the present application.

With these observations, the application stands disposed of.

SANGITA DHINGRA SEHGAL, J

SEPTEMBER 25, 2017

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