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

+ BAIL APPLN. 2213/2017, CRL.M.A. 19929/2017
MUKESH SHARMA @ MUKESH PANDIT Appellant

Through: Mr. Sunil Dalal, Advocate.

versus

GOVT OF NCT OF DELHI Respondent

Through: Mr. Raghuvinder Varma, APP for
State with SI Dharmendra Pratap
Singh, PS Samaipur Badli.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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18.12.2017

The statement under Section 161 of Cr.P.C. of three alleged eye witnesses are stated to be placed on record.

The paper book has been submitted on behalf of the appellant.

It has been submitted on behalf of the State that apart from the FIR no. 569/2016, PS Samaipur Badli under Section 307/324/325/34 of IPC, 1860 in relation to which the present bail application has been filed, the applicant is also involved in two other cases, i.e., FIR no. 383/2003 under Sections 323/384 of IPC, 1860 and FIR no. 44/2008, PS New Ashok Nagar under Section 365, 302/201/34 of IPC.

Learned counsel for the appellant submits that the appellant has already been acquitted in relation to the FIR 44/2008 , PS New Ashok Nagar.

The State is directed to verify the aforesaid aspect and also to submit

the status report of the proceedings in FIR no. 383/2003, PS New Ashok Nagar. Since, it has been submitted that the matter is already pending before the learned Trial Court for recording of testimonies of other eye witnesses, which is fixed for the date 19.01.2018, learned counsel for the petitioner, now, seeks permission to withdraw the present bail application and seeks liberty to file fresh bail application after the recording of testimonies of the eye witnesses.

The present bail application is dismissed as withdrawn with the liberty granted as prayed.

ANU MALHOTRA, J

DECEMBER 18, 2017

Neha Chopra