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

+ CRL.M.C. 2699/2018 & Crl. M.A. no. 9610/2018

AMIT MANN @ BHOLA ..... Petitioner  
Through Mr. Vikram Saini, Adv.

versus

STATE OF NCT OF DELHI ..... Respondent  
Through Ms. Kusum Dhalla, APP

**CORAM:**  
**HON'BLE MR. JUSTICE A.K. PATHAK**

**ORDER**  
% **18.05.2018**

Petitioner has filed an application for splitting the trial of the petitioner from co-accused, who was declared proclaimed offender and was arrested after 4½ years. Grievance of the petitioner is that without deciding this application, trial court continues to proceed with the trial. Learned counsel for the petitioner submits that 94 witnesses have already been examined. In case, *de novo* trial takes place for the co-accused, who has been arrested after 4½ years, petitioner would be prejudiced. Reliance has been placed on *Kasif vs. State*, 2013 SCC OnLine Del 561.

This petition is disposed of with the directions to the trial court to dispose of the application of the petitioner first before proceeding further

with the trial. Miscellaneous application is disposed of as infructuous.

Dasti.

**A.K. PATHAK, J.**

**MAY 18, 2018**

*r.bararia*