

\$~48

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

+ **BAIL APPLN. 2542/2018**

**SHREYANSH AGARWAL** ..... Petitioner  
Represented by: **Mr.Praveen Sahai, Advocate**

versus

**THE STATE & ANR** ..... Respondents  
Represented by: **Ms.Rajni Gupta, APP for the State**  
**with ASI Harish Chander, PS Kirti**  
**Nagar**  
**Mr.Gurmeet Singh, Advocate for R-2**

**CORAM:**  
**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**  
% **29.10.2018**

Crl.M.A.No.35084/2018

Allowed subject to just exceptions.

Bail Appn.No.2542/2018

1. By this petition, the petitioner seeks anticipatory bail in case FIR No.372/2018 under Sections 498A/406/34 IPC registered at PS Kirti Nagar.
2. Notice.
3. Learned APP for the State accepts notice.
4. Learned APP for the State contends that the petitioner has not filed an application for anticipatory bail before the learned Additional Sessions Judge in the first instance and secondly till date no approval of the arrest of the petitioner has been sought nor granted and only a notice to join the

**BAIL APPLN. 2542/2018**

*page 1 of 2*

investigation has been given.

5. In view of the statement of learned APP for the State, as no permission for arrest of the petitioner has been sought nor granted, the present petition is disposed of as infructuous with direction to the State that in case permission for arrest is granted, one week's notice prior to arrest will be given to the petitioner and if so advised the petitioner would thereafter first approach the Court of Additional Sessions Judge.

6. Order dasti.

**MUKTA GUPTA, J.**

**OCTOBER 29, 2018**

*mamta*