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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2796/2018 & CrI.M.A. Nos. 48257/2018, 49780/2018**
SUNIL KUMAR KHARWAR Petitioner
Through: **Mr. Arun K. Srivastava, Adv.**

versus

STATE NCT OF DELHI Respondent
Through: **Mr. K.S. Ahuja, APP for the State.**

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **14.12.2018**

The petitioner had approached this Court by the main petition – Bail Application no. 2796/2018 – under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in the context of case arising out of FIR no. 28/2018 of police station Punjabi Bagh involving offences punishable under Sections 498A/406/506/509/34 IPC.

By order dated 29.11.2018, interim protection against arrest in the said case was granted subject to the conditions including surrender of the passport with the investigating officer, the parties having been referred to the process of mediation to explore the possibility of amicable resolution.

The matter arising out of the said bail application is listed on 25.01.2019.

The matter has been taken up today in the context of CrI.M.A. 49780/2018 praying for release of the passport and for permission to travel abroad.

During the hearing, the counsel submitted that the investigation has already been completed and a charge-sheet was filed earlier on which cognizance was taken it having been followed by a supplementary charge-sheet qua the petitioner on 12.12.2018.

After some hearing, the counsel for the petitioner submitted he may be permitted to withdraw the bail application no. 2796/2018 and the pending applications including the application for release of the passport and permission to travel abroad, he seeking liberty to approach the court of cognizance by an application for release on regular bail, his request being that the interim protection may be extended till such applications are considered and adjudicated upon. The hearing on Bail application no. 2796/2018 is pre-poned. The date of 25.01.2019 is cancelled. The said bail application with pending applications are dismissed as withdrawn.

The petitioner is granted liberty to move an application for release on regular bail at the afore-mentioned case before the Metropolitan Magistrate as also make a prayer for release of the passport and permission to travel abroad which application shall be considered by the said court in accordance with law.

The interim protection against arrest will inure to the benefit of the petitioner till decision is taken on such applications.

Dasti under the signatures of Court Master.

R.K.GAUBA, J

DECEMBER 14, 2018

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