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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **BAIL APPLN. 83/2019 & CrI.M.A. 747/2019****SMT. SUBA DEVI**

..... Petitioner

Through: **Mr. Santosh Kumar Suman, Adv.**

versus

STATE

..... Respondent

Through: **Mr. Amit Ahlawat, APP for the State
with SI Kamlesh Kumar, PS Rajinder
Nagar.****CORAM:****HON'BLE MR. JUSTICE R.K.GAUBA****ORDER**

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15.01.2019

The bail application (no. 3515/2018) was dismissed by the Court of Sessions by order dated 03.01.2019 for the reason the petitioner in spite of direction did not join investigation, such direction having been given while giving her interim protection by previous order dated 12.12.2018. The counsel for the petitioner regrets the neglect on the part of the petitioner and now seeks permission to withdraw the present petition seeking liberty to approach the court of Sessions afresh solemnly assuring and undertaking that all directions would be duly abided by.

The petition is dismissed as withdrawn. The petitioner is given liberty to approach the court of Sessions once again.

It is noted from the orders dated 12.12.2018 and 03.01.2019 passed on bail application no. 3515/2018 that the judicial officer exercising the jurisdiction of the court of Sessions while dealing with the application for

anticipatory bail has described her power as that of Special Judge – CBI, (PC Act) which is against the directions which have been earlier issued. While dealing with the application for anticipatory bail under Section 438 Cr.P.C, the judicial officer was not exercising the powers of Special Judge under Prevention of Corruption Act. The judicial officers must reflect the position correctly.

The Registrar General shall re-issue the instructions for strict compliance.

Dasti under the signatures of Court Master.

R.K.GAUBA, J

JANUARY 15, 2019

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