

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

Date of decision: October 14, 2019

+ **BAIL APPLN. 360/2019**

NAVEEN KOTIYA

..... Petitioner

Through: **Mr. Sumit Rana & Mr. Gaurav
Saini, Advocates**

Versus

STATE

..... Respondent

Through: **Mr. G.M.Farooqui, Additional
Public Prosecutor for State with
WSI Sarita**

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

JUDGMENT

BRIJESH SETHI, J (oral)

1. Learned Additional Public Prosecutor for respondent/State submits that charge-sheet in this case has been filed before the court concerned and the case is now listed on 17th October, 2019 before the trial court.

2. Learned counsel for the petitioner submits that the case is pending before the court of learned Metropolitan Magistrate and is yet to be committed to the court of Sessions and the Metropolitan Magistrate is not empowered to consider petitioner's bail application.

3. In view of the above, this petition is disposed of with the direction that till the case hearing FIR No.39/2019, under Sections 376/506 IPC, registered at police station Haridas Nagar, Delhi is committed to the Court of Sessions, the petitioner will not be arrested in this case, while making it clear that once the matter is listed before the Sessions Court, petitioner's bail application would be heard and decided in accordance with the law.

4. Bail application stands disposed of accordingly.

(BRIJESH SETHI)
JUDGE

OCTOBER 14, 2019

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