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

+ **BAIL APPLN. 1217/2018 & CrI.M.B.895/2018**

J S BHASIN

..... Petitioner

Through: Mr. Tanvir A. Mir, Adv. with Mr.
Ravinder Singh and Mr.Jatin S. Sethi,
Advs.

versus

STATE

..... Respondent

Through Mr. Hirein Sharma, Addl. PP for the
State with Insp. Nitin Kumar, EOW
Mr. Manu Sharma, Ms.Divya Sharma
and Mr. Suryajyoti, Mr.Kartik
Khanna, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **22.04.2019**

1. Petitioner seeks anticipatory bail in FIR No.38/2018 under Sections 406/409/420/467/468/471/120B/506 IPC, P.S.EOW.
2. By order dated 23.05.2018 petitioner was granted interim protection whereby the Investigating Officer was directed to issue at least 72 hours clear notice in case any coercive action was sought to be taken against the petitioner.
3. Learned counsel for the petitioner submits that though no notice has been received, there was apprehension of arrest and as such the present application has been filed.
4. Learned APP under instructions from the IO submits that keeping in view the age and medical condition of the petitioner and

the material on record, no notice has been issued as of now as there is no cause for custodial interrogation of the petitioner at this stage. He submits that the petition is pre-mature.

5. Learned counsel for the petitioner submits that keeping in view the age and condition of the petitioner he may be permitted to withdraw the petition with liberty to file afresh in case need so arises. He further prays that instead of 72 hours notice, the period be enlarged and one-week clear notice be given in case any coercive action is sought to be taken against the petitioner.

6. In view of the above, petition is dismissed as withdrawn, however, order dated 23.05.2018 is modified to the extent that in case there is any cause for the IO to take any coercive action against the petitioner, at least one-week clear notice would be given to the petitioner.

7. Order *dasti* under signature of the Court Master.

SANJEEV SACHDEVA, J

APRIL 22, 2019

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