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

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BAIL APPLN. 1263/2020

PANKAJ KUMAR

.....Applicant

Through: Mr. Vikram Singh, Advocate.

Versus

STATE

.....Respondent

Through: Mr. Kewal Singh Ahuja, APP for State

**CORAM:**

**HON'BLE MS. JUSTICE ANU MALHOTRA**

**ORDER**

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**29.06.2020**

The status report in terms of order dated 16.06.2020 has been filed by the State which indicates that out of 22 witnesses cited, 11 have been examined and 11 remain to be examined and that the statement of the mother, father and the brother of the deceased have been recorded and that they have supported the prosecution version. However, it is reported that there was no previous involvement of the applicant as per the record. The nominal roll that has been received from the Superintendent Jail, Delhi dated 22.06.2020 indicates that the jail conduct of the applicant is satisfactory.

It is essential to observe that vide order dated 16.06.2020, the submissions that have been made on behalf of the applicant placing reliance on the guidelines of the Hon'ble High Powered Committee of this Court dated 18.05.2020 for grant of interim bail qua the offence punishable under Section 304B of the Indian Penal Code, 1860 had been withdrawn in as much as the minutes dated 18.05.2020 of the Hon'ble High Powered Committee of this Court did not take into account the aspect of the offence under Section 304B of the Indian Penal Code, 1860 falling within the ambit of grant of discretionary bail. The matter was

thus renotified in terms of order dated 16.06.2020 on the premise that the applicant sought the grant of interim bail submitting that he has been incarcerated for more than 2 years and he is not involved in any other case and the matter has thus been taken up today.

It is essential to observe as the Court noticed the aspect that vide minutes dated 20.06.2020 of the Hon'ble High Powered Committee of this Court, the aspect of grant of discretionary bail qua offence punishable under Section 304B of the Indian Penal Code, 1860 has also now been taken into account.

Be that as it may, the said guidelines relate to the exercise of discretionary power by the Court at the time of grant of interim bail even qua the offence punishable under Section 304B of the Indian Penal Code, 1860.

Learned counsel for the applicant while submitting that the applicant was not even in town on the date of the alleged commission of offence and that there has been no proper investigation conducted by the Investigating Agency, nevertheless, presently, seeks to withdraw the BAIL APPLN. 1263/2020. The application is dismissed as withdrawn, as prayed.

**ANU MALHOTRA, J**

**JUNE 29, 2020**

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