



\$~72

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

+ **BAIL APPLN. 955/2023**

GURJINDER SINGH BABA Applicant

Through: None.

versus

THE STATE (GOVT. OF NCT OF
DELHI)

..... Respondent

Through: Mr. Pradeep Gahalot, APP
for the State with SI Robin
Khatana, PS Moti Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **21.02.2024**

1. The present application is filed under Section 439 read with Section 482 of the Code of Criminal Procedure, 1973 (CrPC), seeking grant of regular bail in FIR No. 28/2018 dated 31.01.2018, registered at Police Station Moti Nagar, for offences under Sections 392/394/397/34 of the Indian Penal Code, 1860.
2. The learned Additional Public Prosecutor for the State, at the outset, submits that the petitioner is not in custody. He was required to surrender in the present FIR, but never surrendered.
3. He submits that in such circumstances, the present application filed under Section 439 read with Section 482 of the CrPC, is not maintainable.
4. It is seen that none has appeared for the applicant on the previous date as well, that is, on 19.02.2024.
5. Accordingly, the present application is dismissed for non-prosecution.

AMIT MAHAJAN, J

FEBRUARY 21, 2024 / 'KDK'