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

+ CRL.M.C. 2053/2022

M/S ESPANINFRASTRUCTURE (I) LIMITEDPetitioner

Through: Mr.Deepak Vohra, Advocate

versus

THE STATE (GOVERNMENT OF NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Laksh Khanna, APP for State with
SI Maya Shankar

Mr.Sanjay Mishra, Advocate for respondent No.2

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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29.07.2024

1. By way of present petition, the petitioner seeks cancellation of bail granted to respondent No.2 vide judgment dated 03.11.2020 in FIR No.48/2020 registered under Sections 420/468/471/120B/34 IPC at P.S. Preet Vihar, Delhi.
2. The only premise to file the present petition is that after being released on bail, respondent No.2 is involved in another case of similar nature being FIR No.407/2022 registered under Section 408 IPC at Police Station Preet Vihar, Delhi. It is also stated that respondent No.2 is not joining the investigation and further, that he has not provided his mobile number on which he is available.
3. Mr. Sanjay Mishra, Advocate, enters appearance on behalf of respondent No.2 and submits that insofar as aforesaid FIR No.407/2022 is



concerned, respondent No.2 has already been released on regular bail on 18.01.2024 vide BAIL APPLN. 3984/2023. In fact, respondent No.2 has preferred a petition seeking quashing of the said FIR vide CRL.M.C. 1862/2023, which is pending consideration. He further submits that the passport of respondent No.2 already stands deposited with the trial court and that respondent No.2 has joined investigation.

4. Learned APP for the State submits that in the present case, the concerned Investigating Officer has been replaced and on instructions from SI Maya Shankar, submits that mobile number of respondent No.2 is on record.

5. At this stage, learned counsel for respondent No.2, on instructions, submits that respondent No.2 would join the investigation tomorrow at 4:00 P.M.

6. Considering that there is no challenge on the merits of the case and the only challenge is on the aspect of registration of another FIR in which respondent No.2 is already released on regular bail, I find no ground to entertain the present petition. Accordingly, the same is dismissed.

MANOJ KUMAR OHRI, J

JULY 29, 2024
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