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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 1325/2024

ABHISHEK KANOJIA

..... Applicant

Through: Mr. Kanhaiya Singhal, Mr.
Ujwal Ghai, Ms. Vani
Singhal, Mr. Prasanna, Mr.
Ajay Kumar, Mr. Udit
Bakshi and Ms. Deepali
Pawar, Advs.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Ajay Vikram Singh,
APP for the State with
Insp. Prashant Yadav,
DIU/Rohini.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

04.07.2024

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1. The present application is filed under Section 439 of the Code of Criminal Procedure, 1973 (**CrPC**), seeking regular bail in FIR No. 564/2022 dated 15.10.2022, registered at Police Station K.N. Katju Marg, for offence under Sections 308/34 of the Indian Penal Code, 1860 (**IPC**).
2. The learned counsel for the applicant submits that he would be satisfied if the liberty is given to file an application afresh after the alleged eye-witnesses are examined before the learned Trial Court.
3. He, however, submits that the trial is not proceeding. He states that on the last two dates of hearing, the witnesses had not appeared and the State is delaying the proceedings.



4. The learned Additional Public Prosecutor for the State fairly submits that no unwarranted adjournment would be taken and all efforts would be made to produce the witnesses on the next date of hearing before the learned Trial Court.
5. In view of the above statement, Mr. Kanhaiya Singhal, the learned counsel for the applicant seeks liberty to withdraw the present application and file afresh after the alleged eye-witnesses are examined.
6. The present application is dismissed as withdrawn with the aforesaid liberty.
7. The learned Trial Court is requested to expedite the examination of the alleged eye-witnesses.
8. Let the copy of the present order be placed before the learned Trial Court for necessary compliance.

AMIT MAHAJAN, J

JULY 4, 2024

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