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

+ **BAIL APPLN. 1380/2024**

LOKESH

.....Petitioner

Through: Mr. Sumeet Shokeen, Mr. Kartikey Anand, Mr. Vikram Dagar, Mr. Pawash Piyush, Mr. Abhimanyu Singh, Mr. Piyush Bansal, Advocates.

versus

STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Yudhvair Singh Chauhan, APP for the State.

Insp. Shiv Prakash, PS Alipur

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
20.09.2024

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1. After some arguments, learned Counsel for the Petitioner seeks permission to withdraw the present bail application with liberty to approach the Trial Court after the examination of the witnesses who are eyewitnesses and witnesses who can depose to the motive.
2. Learned Counsel for the Petitioner states that the witness at Serial No.3 in the chargesheet, i.e., Suman, who is the wife of Sonu, has been dropped *vide* order dated 12.03.2024 because she did not come for her examination in the trial. He states that the witnesses at Serial No.8, i.e., Narender Rawat, has already been examined and he has not supported the case of the prosecution.
3. It is stated that witnesses at Serial No.4, i.e., Neetu, who is the wife of Jai Kishan, is the only witness who is yet to be examined.



4. Learned APP for the State submits that apart from her, the witness at Serial No.9, i.e., Vipin and the witness at Serial No.5, i.e., Jai Kishan, has to be examined because he in his statement under Section 161 CrPC has stated that he received phone calls and threats from the jail, a fact which is opposed by the learned Counsel for the Petitioner.
5. It is stated that witnesses at Serial No.6 & 7, i.e., Virender and Naresh Kumar respectively are *qua* motive.
6. Liberty is granted to the Petitioner to approach the competent court by filing a bail application after examination of these witnesses who are left.
7. The Petitioner has been arrested in this case when he was already in custody on 18.09.2020. Four years have passed and out of 38 witnesses, only one witness has been examined.
8. This Court is of the opinion that examination of witnesses is going exceedingly slow and therefore the Trial Court is requested to ensure that the public witnesses are examined at the earliest preferably within six months from today.
9. With these observations, the bail application is disposed of as withdrawn along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

SEPTEMBER 20, 2024

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