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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2016/2023

HARI SHANKAR

.....Petitioner

Through: Mr. Manan Jain, Advocate.

versus

THE STATE (GNCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Manoj Pant, APP for State with
Mr. Kaushal Sharma, Mr. Anand
Saurabh, Mr. Abhay Sahu, Mr.
Siddharth Baisoya, Mr. Anil Kumar,
Ms. Avni Grover, Mr. Bharti Kumar
and Mohd. Tauqeer Khan, Advocates.
SI Jaspreet Pannu, P.S. Nabi Karim.
Mr. Ankit Singh Sinsinwar, Mr. Ravi
Kumar, Mr. Sunil Singh, Mr. Gagan
Singh and Mr. Manoj Sharma,
Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

30.07.2024

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Though *vide* order dated 07.06.2023 the Vacation Bench had issued the requisite direction in terms of Section 438 of Code of Criminal Procedure 1973 ('Cr.P.C.'), and had also imposed conditions for the release of the petitioner on bail in the event of his arrest, however it seems that by inadvertence, the matter was directed to be re-listed on 18.07.2023 before the Roster Bench.

2. The matter has been hanging-fire even since; and has been listed before the court on 06 dates.
3. Be that as it may, Mr. Manan Jain, learned counsel appearing for the petitioner as well as Mr. Ankit Singh Sinsinwar, learned counsel



representing the complainant jointly submit, that parties have since got married; and therefore, nothing remains in the present case.

4. In any event, the present petition under section 438 Cr.P.C. already stands allowed.
5. It is noticed however, that the condition imposed *vide* para 8(e) of order dated 07.06.2023 of dropping a PIN on Google maps so that the Investigating Officer is aware of the location of the petitioner, has since been held to be violative of the right of privacy guaranteed under Article 21 by the Supreme Court in ***Frank Vitus vs. Narcotics Control Bureau & Ors.***¹. Accordingly, the condition be treated as deleted.
6. The petition stands disposed-of in the aforesaid terms, along with pending application, if any.

ANUP JAIRAM BHAMBHANI, J

JULY 30, 2024/MR

¹ 2024 SCC OnLine SC 1657