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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 1736/2024

FARMAN @ MANNU

.....Petitioner

Through: Mr. M.R. Chanchal with Mr. Rahul
Chanchal, Advocates.

versus

THE STATE (GOVT, NCT OF DELHI)

.....Respondent

Through: Mr. Manoj Pant, APP for the State
with Mr. Akshansh, Ms. Pragati
Keshri, Mr. Priyush Jha, Mr. Sahil
Kapoor and Ms. Shivangi Tyagi,
Advocates with SI Anugraha, P.S.
Welcome.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

13.08.2024

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By way of the present petition filed under section 439 read with section 482 of the Code of Criminal Procedure 1973 ('Cr.P.C.'), the petitioner seeks regular bail in case FIR No. 0225/2020 dated 18.05.2020 registered under section 302 of the Indian Penal Code, 1860 ('IPC') at P.S.: Welcome, Delhi ('subject FIR'). Upon completion of investigation, chargesheet dated 07.08.2020 has been filed in the matter.

2. Notice on this petition was issued on 15.05.2024. Pursuant thereto, status report dated 28.07.2024 has been handed-up in court today. The same is taken on record.



3. Nominal roll dated 22.07.2024 has also been received from the Jail Superintendent.
4. Mr. M.R. Chanchal, learned counsel appearing for the petitioner submits, that as would be seen from the nominal roll, the petitioner has spent more than 04 years in custody as of 22.07.2024, having been arrested on 19.05.2020. Counsel submits, that as recorded in the nominal roll, the petitioner has no other criminal involvements and his jail conduct has been 'satisfactory'.
5. On the other hand, Mr. Manoj Pant, learned APP appearing for the State submits, that only 09 out of the 24 prosecution witnesses have been examined so far; and that in his court deposition the eye-witness has supported the prosecution's case in its entirety.
6. Learned APP submits, that the eye-witness has deposed that on the night of 17.05.2020, the petitioner murdered the deceased (who was the brother of the eye-witness) by stabbing him in his right thigh, in the context of a quarrel between them arising from a dispute over money.
7. In the circumstances, after making some submissions, Mr. Chanchal seeks leave to withdraw the present petition; with a prayer that the trial in the matter be made time-bound.
8. In the circumstances of the case, the petition is disposed-of as withdrawn; without making any observation upon the merits of the case; but with a direction to the learned Trial Court to complete recording the entire evidence in the matter within 09 months from today.



9. This court is informed that the next date of hearing before the learned Trial Court is 05.11.2024. In the circumstances, the learned Trial Court is directed to advance the next date of hearing in the matter appropriately so as to adhere to the above timeline.
10. Furthermore, the petitioner is granted liberty to file afresh for bail, if the recording of evidence of all witnesses in the matter is not completed, in accordance with the timeline set by this court.
11. The petition is disposed-of, subject to the foregoing directions.
12. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

AUGUST 13, 2024/V.Rawat