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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2469/2023 & CRL.M.A. 19633/2023**
GAUTAM

..... Applicant
Through: Mohd. Azhar and Mr.Waiz
Islam, Advs.

versus

STATE THROUGH SHO SARAI ROHILLA

..... Respondent
Through: Ms.Priyanka Dalal, APP with
Insp. U. Bala Shankram and SI
Deep Sharma

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
22.01.2024

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1. This application has been filed under Section 439 of the Code of Criminal Procedure, 1973 (in short, 'CrPC) praying for release on bail in FIR No. 0070/2019 registered at Police Station: Sarai Rohilla, Delhi under Sections 302/34 of the Indian Penal Code, 1860 (in short, 'IPC').
2. The learned counsel for the applicant has placed reliance on the Order dated 01.08.2023 of this Court passed in BAIL APPLN. 219/2023 titled *Sh. Ankit v. The State (Govt. of NCT of Delhi)*, contending that the co-accused, who was first arrested in the point of time and against whom similar allegations have been made as made against the applicant herein, has already been released on bail.
3. On the other hand, the learned APP for the State submits that



there are further evidences against the applicant and his case cannot be stated to be similar to that of co-accused. She submits that 12 out of 20 witnesses have already been examined by the learned Trial Court.

4. At this stage, the learned counsel for the applicant prays that a direction be issued to the learned Trial Court to expedite the trial.

5. Keeping in view that the applicant has been in custody since 12.10.2019, the learned Trial Court is requested to expedite the conclusion of the trial preferably within a period of 6 months from the first listing of the case before the learned Trial Court after this Order.

6. In case there is further delay in conclusion of the trial, the applicant shall be at liberty to move an application at the appropriate stage seeking release on bail, which shall be considered in accordance with law.

7. The bail application along with the pending application is disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 22, 2024/ns/RP

Click here to check corrigendum, if any