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

+ **CRL.M.C. 2238/2020**

RADHEY SHYAM SONI

..... Petitioner

Through: Mr. Sumit Choudhary, Advocate

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Laksh Khanna, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

28.03.2024

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1. By way of present petition filed under Section 439(2) read with Section 482 Cr.P.C., the petitioner seeks cancellation of the bail granted to *Kailash Kumar*/respondent No.2.
2. Learned counsel for the petitioner submits that cancellation of the bail is sought as respondent No.2 has not cooperated in the investigation. He submits that during the investigation, the petitioner has handed over certain voice chats to the I.O., which needs to be investigated and for which purpose his voice sample would be required. Thus, custodial interrogation of respondent No.2 is required.
3. Learned APP for the State, on instructions, submits that voice sample of respondent No.2 has already been taken and the same has been sent to FSL. Further, no custodial interrogation is required.
4. Considering that even as per the prosecution case, only a sum of



Rs.1.93 crore has been handed over to the accused persons out of Rs.1 crore has already been deposited by the accused *Yogesh Singh*, who has further undertaken to deposit a sum of Rs.50 lacs as also the fact that the accused persons have stated that they have transferred the requisite shares in favour of the complainant/victims and are willing to take further steps w.r.t the issuance of the shares to the complainant/victims, I find no ground to entertain the present petition. Accordingly, the same is dismissed.

MANOJ KUMAR OHRI, J

MARCH 28, 2024

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