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

+ **BAIL APPLN. 1867/2024**

PRADEEP SINGH SALARIA

..... Petitioner

Through: Ms.Richa Kapoor, Mr.Jai Batra and
Mr.Sandesh Kumar, Advocates

versus

STATE NCT OF DELHI

..... Respondent

Through: Ms.Meenakshi Dahiya, APP for State
with Insp. Pramod Kumar, ATO/P.S.
Mayur Vihar.
Mr.Akash Arora and Mr.Aaryan
Deol, Advocates for complainant.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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24.05.2024

CRL.M.A. 16384/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

BAIL APPLN. 1867/2024

1. An application under Section 438 read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for grant of anticipatory bail in FIR No. 556/2023 under Sections 406/419/420/467/468/471/474/34/120B IPC registered at P.S. Mayur Vihar.
2. Issue notice. Learned APP for the State alongwith learned counsel for complainant appear on advance notice and accept notice.
3. Learned APP for the State, at the outset, objects to the filing of the present application under Section 438 Cr.P.C. directly before this Court



without preferring an application before the Court of Sessions.

4. At this stage, learned counsel for the petitioner seeks liberty to file an application under Section 438 Cr.P.C. before the learned trial court and prays that presence of the petitioner may not be insisted upon by the investigating officer on 25.05.2024, since the petitioner had earlier joined the investigation. She further prays that petitioner be summoned again, if required by the investigating officer in second week of June as he has to travel from Jammu.

5. Taking the statement of learned counsel for the petitioner on record, application is accordingly disposed of with liberty to the petitioner to prefer an application before learned Sessions Court in the first instance without expressing any opinion on merits of the case and without prejudice to the rights and contentions of the parties. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J

MAY 24, 2024/v