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

+ **BAIL APPLN. 1874/2024**

PAWAN KUMAR

.....Petitioner

Through: Mr. Manish Gupta, Mr. Amit Thakur,
Mr. Mohan Sharam, Advocates.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Hemant Mehla, APP for State
with Insp. Manoj, PS: Shalimar Bagh.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

25.10.2024

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1. APP for State states that main eye witness Mr. Rakesh Kumar is still to testify on 06th January, 2025; recording of testimony is delayed due to FSL being awaited for the CCTV.
2. While counsel for petitioner points out that Rakesh in the MLC stated that his friend Shambhu (*deceased*) was assaulted by unknown people, he later names all the accused in his statement and later in his FIR.
3. APP State, however, states that the CCTV shows the accused and they have been identified by not only Rakesh, but also by Zakir who was a passerby and was living in the same locality.
4. Accordingly, it will be apposite to await the recording of the main eye witness.
5. At this stage, counsel for petitioner wishes to withdraw the bail petition



with liberty to file afresh at a later point of time before Trial Court, after the testimony of the eye witness is recorded.

6. Petition is dismissed as withdrawn.
7. Liberty granted.
8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 25, 2024/RK

Click here to check corrigendum, if any