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

+ **BAIL APPLN. 1989/2024**

VAHID@WASEEM

.....Petitioner

Through: Mr. Zishan Iskadari & Mr. Madhur Mittal, Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Ms. Richa Dhawan, APP for State.
Mr. Himanshu Garg & Mr. Noorie Alam, Advocate for deceased-Atib Malik.
Insp. Jagdeep, PS H.N. Din, Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

09.08.2024

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1. The present Petition under Section 482 of the Code of Criminal Procedure, 1973 has been filed on behalf of petitioner seeking grant of regular bail in case FIR bearing No. 86/2022, registered at Police Station Hazrat Nizamuddin, Delhi for offences punishable under Sections 302/307/34 of Indian Penal Code, 1860.
2. After some arguments, learned counsel for the petitioner, without prejudice to his rights and contentions, seeks permission to withdraw the present petition with liberty to file the same after recording of the statement of the witnesses.
3. Learned counsel for the petitioner points out that the charges in the present FIR had been framed on 26.04.2023, but till date, the statement of not a single witness of the prosecution has been recorded. Learned



Additional Public Prosecutor on behalf of the State explains that the FSL Report has been recently on account of which the witnesses though appearing could not be examined.

4. Learned Additional Public Prosecutor further points that the co-accused had threatened the witnesses which is also preventing them from appearing in the Court and also an FIR to this effect has already been filed in January, 2023.

5. In view of above, the present petition is dismissed as withdrawn with liberty as prayed for.

6. An endeavour be made by the learned Trial Court to conclude the testimony of the public witnesses within three months.

7. The Investigating Officer is directed to ensure the presence of the eye-witnesses/witnesses.

NEENA BANSAL KRISHNA, J

AUGUST 9, 2024

S.Sharma