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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 2382/2024, CRL.M.A. 20065/2024 & CRL.M.A.
20067/2024

RUDRA VERMA

.....Petitioner

Through: Mr. Bhaskar Aditya, Adv.

versus

STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Pradeep Gahlot, APP for the
State with SI Onkar, PS Badarpur
Mr. Krishan Kartik, Adv. for
complainant

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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06.08.2024

1. Counsel for petitioner points out they had joined investigation on 19th April 2024 and 4th May 2024, which is evident from the reply to anticipatory bail application filed by the State before the Trial Court.
2. APP for the State however points out that though the petitioner joined investigation on 19th April 2024 and 4th May 2024, however he was thereafter absconding and notices were pasted and raids were conducted at his residence on 16th May 2024, 20th May 2024, 26th May 2024, 27th May 2024 and 30th May 2024 and subsequently, NBWs were issued against him on 1st June 2024. Further, NBWs were posted at his residence on 3rd July 2024, 4th July 2024 and 21st July 2024 and finally proclamation has since been issued on 31st July 2024.
3. The APP relies upon decision of the Supreme Court in ***Srikant Upadhyaya & Anr. v.. State of Bihar*** (2024) SCC OnLine SC 282 where it



is stated that relief of anticipatory bail cannot be granted when NBWs have been issued or process for proclamation under Section 82 Cr.P.C. has been initiated.

4. In light of the above discussion, counsel for petitioner seeks leave to withdraw this petition with liberty to challenge the proclamation proceedings under Section 82 Cr.P.C. before the Trial Court.
5. Petition is accordingly dismissed as withdrawn; liberty granted.
6. Pending application, if any, stands disposed of as infructuous.
7. Order be uploaded on the website of this court.

ANISH DAYAL, J

AUGUST 6, 2024/sm