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

+ **BAIL APPLN. 4117/2023**

SANDEEP @ GOLU

.....Petitioner

Through: Mr. Pradeep Chowdhary, Advocate.

versus

STATE GNCT OF DELHI

.....Respondent

Through: Mr. Laksh Khanna, APP for State
with Suneel Siddhu PS Mangolpuri,
Delhi.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

16.08.2024

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1. At the outset, learned counsel for the applicant has raised a grievance that consideration of the present bail application is pending for want of examination of two eye witnesses, namely *Sunil* and *Mahesh*. He submits that though both the aforesaid witnesses were summoned on the previous date of hearing by the Trial Court, neither could be examined as, *Mahesh* had sought a medical exemption and *Sunil* did not depose. Learned counsel is further aggrieved by the fact that the next date of hearing before the trial court is 20.10.2024.

2. Learned APP, on instructions from the IO, states that through the witness, *Sunil*, was summoned on the last date of hearing and had appeared, he had expressed his inability to depose on that date on account of medical reasons.

3. Be that as it may, it shall be open to the applicant to move an application for early hearing before the trial court, which may be considered



in accordance with law, keeping in mind the period of custody already undergone by the applicant.

4. Learned APP states that in case the next date of hearing is preponed, the IO will take all such steps as may be necessary for summoning and examination of the said witnesses.

5. At this stage, learned counsel for the petitioner seeks leave to withdraw the present bail application with liberty to file a fresh one after the examination of the aforesaid two witnesses.

6. In view of the above, leave and liberty, as prayed for, is granted. The bail application is dismissed as withdrawn.

MANOJ KUMAR OHRI, J

AUGUST 16, 2024/rd