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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2921/2024**

DEEPAK AHIRWAL

.....Petitioner

Through: Mr. Hari Krishan, Advocate.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Ms. Meenakshi Dahiya, APP with
Insp. Manmeet Singh, PS: Khyala.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

27.09.2024

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1. An application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of petitioner for grant of bail in FIR No. 0007/2021, under Sections 302/34 IPC, registered at PS: Khyala. Chargesheet has been filed under Sections 302/147/148/149/34 IPC.
2. Issue notice. Learned APP for the State appears on advance notice and accepts notice.
3. Learned counsel for petitioner submits that since one of the material witnesses Nitin is yet to be examined, he may be permitted to withdraw the petition without prejudice to the rights and contentions of the petitioner. He further prays that learned Trial Court be directed to examine the material witness Nitin, since he has been evading to appear before learned Trial Court.
4. Taking the statement of learned counsel for petitioner on record, the application is accordingly disposed of.

Considering the facts and circumstances, learned Trial Court is also directed to make an endeavour to examine material witness, Nitin on the next



date of hearing fixed before the learned Trial Court. Necessary steps shall be taken by State for ensuring the presence of aforesaid witness.

A copy of this order be forwarded to learned Trial Court for information and compliance.

Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J.

SEPTEMBER 27, 2024/R