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

+ **BAIL APPLN. 2987/2024**

ASGAR

.....Petitioner

Through: Mr. Vaibhav Mishra with Mr. Sudhir
Nagar and Mr. Raghav Sood,
Advocates.

versus

STATE OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for the State *via*
video-conferencing.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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22.08.2024

CRL.M.A. 25032/2024

Exemption allowed, subject to just exceptions.

The application stands disposed-of.

BAIL APPLN. 2987/2024

At the outset, Mr. Utkarsh, learned APP appearing for the State informs the court that since the petitioner was evading investigation, *vide* order dated 12.07.2024 made by the learned Sessions Court, process has been issued under section 82 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') against the petitioner.

In view thereof, it is submitted that the present petition may not be entertained in view of the observation of the Supreme Court in *Srikant Upadhyay & Ors. vs. State of Bihar & Anr.*¹

In the circumstances, Mr. Vaibhav Mishra, learned counsel appearing for the petitioner seeks leave to withdraw the present petition with liberty to

¹ 2024 INSC 202 at para 24



approach the learned Trial Court to seek setting-aside of the process issued under section 82 Cr.P.C.

The petition is disposed-of as withdrawn, with liberty as prayed-for; without expressing any opinion on the merits of the matter.

Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

AUGUST 22, 2024
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