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

+ **BAIL APPLN. 3110/2024 & CRL.M.A. 26079/2024**

RAHUL DHANDA

.....Petitioner

Through: Ms. Dolly Sharma, Advocate.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for the State with
Insp. Robin Tyagi, P.S.: ARSC Crime
Branch.

Ms. Joshini Tulli with Mr. Joginder
Tulli, Mr. Saurabh Mishra, Mr.
Aditya Verma and Mr. Shrikant
Sharma, Advocates for the
complainant.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

05.09.2024

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Pursuant to order dated 30.08.2024, the court has received Nominal Roll dated 04.09.2024 under cover of communication dated 05.09.2024 from the Jail Superintendent. The same is taken on record.

2. Mr. Utkarsh, learned APP appearing for the State draws attention to Status Report dated 02.09.2024, which says that insofar as the petitioner's father is concerned, he has already undergone surgery for *carcinoma epiglottis* and is now only a follow-up patient at the hospital.
3. Insofar as the petitioner's mother is concerned, which is the main ground cited for seeking interim bail, the status report confirms that the



petitioner's mother had been advised surgery for ovarian cysts; however, that would be a planned surgery and is not an emergency. The status report further states that the mother's surgery has not been scheduled, since it can only be performed once her blood sugar levels are under control.

4. The responses received from the attending doctors in relation to the petitioner's father as well as his mother have been extracted in the status report.
5. The status report also sets-out the other criminal involvements of the petitioner.
6. The nominal roll also confirms that the petitioner is involved in 03 other criminal cases; and also that he had surrendered late after he was granted interim bail on an earlier occasion in May 2023.
7. The nominal roll also shows that the petitioner's overall jail conduct has been 'unsatisfactory' and he has been issued punishments tickets on two occasions.
8. Ms. Joshini Tulli, learned counsel is present on behalf of the complainant; and submits that the petitioner, alongwith his co-accused persons, has been threatening prosecution witnesses, who have turned hostile in numbers; and, in a very peculiar occurrence, *one of the prosecution witnesses* who had earlier deposed in support of the prosecution case, has subsequently moved an application under section 311 of the Code of Criminal Procedure, 1973 before the learned Trial Court praying that he should be re-called, perhaps with the intention of turning hostile.



9. In the circumstances, Ms. Dolly Sharma, learned counsel appearing for the petitioner seeks leave to withdraw the present bail petition, with liberty to file afresh once a date is scheduled for the mother's surgery.
10. The petition is accordingly disposed-of as withdrawn, with liberty as prayed-for; without expressing any opinion on the merits of the matter.
11. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

SEPTEMBER 5, 2024

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