



\$~6

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

+ **BAIL APPLN. 4097/2024**

ABUZAR @ ANTA

.....Petitioner

Through: Mr. M.L. Yadav, Mr. Harish Chand,
Mr. Anant Chitoria and Ms. Neha,
Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Aashneet Singh, APP for the
State with Insp. Anuj Kumar, Special
Cell/SWR.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

11.12.2024

%

1. This is a petition seeking grant of regular bail in FIR 152/2008 dated 07.04.2008 under Section 302/34 IPC and 25/27 Arms Act registered at P.S. Kalkaji.

2. As per the order dated 30.10.2023 of the Hon'ble Supreme Court in SLP (Crl.) No/ 12123/2023, the following was directed:-

“If the respondent fails to examine the said 10 material witnesses within a maximum period of six months from today, it will be open for the petitioner to apply afresh for grant of bail to the High court.”

3. Mr. Aashneet Singh, learned APP states that in the present case the entire evidence is over, the matter was argued and heard by the Sessions Court but on account of change in roster the final arguments are again



required to be heard by another bench.

4. The matter is now listed on 07.01.2025.

5. It is hoped and expected that the Sessions Court will conclude the arguments and pass the order expeditiously.

6. With these directions, the petition is disposed of granting liberty to the Petitioner to avail all his legal rights, once the judgment is pronounced.

7. Mr. Singh, learned counsel further states that the present petition is predicated on the ground of delay, since the petitioner has already undergone incarceration for over 10 years.

8. The allegations are under Section 302/174A/120-B/34 of IPC and Section 25/27 of the Arms Act and as per the status report, the petitioner has played an active role in the murder which was committed in broad daylight. The petitioner was absconding since the commission of the offence and was later declared a Proclaimed Offender. The petitioner was arrested only in 2014 and there is further apprehension of him jumping bail, if granted.

9. Hence, I am not inclined to entertain this bail application.

10. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present petition.

JASMEET SINGH, J

DECEMBER 11, 2024/ab

Click here to check corrigendum, if any