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

+ **CRL.M.C. 2576/2025**

RAJ RANI

.....Petitioner

Through: Mr. Kaitik Gadi and Mr. Tushar
Rohmetra, Advocate

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR.

.....Respondents

Through: Ms. Richa Dhawan, APP for State
with SI Dilsukh and Inspector
Ravinder, PS K.N.K Marg

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

17.04.2025

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[Physical Hearing/Hybrid Hearing (as per request)]

CRL.M.A. 11535/2025 (exemption)

1. Allowed, subject to all just exceptions.

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2. The petitioner seeks cancellation of interim bail granted to the accused by the learned Additional Sessions Judge in case FIR No. 251/2024 dated 16.07.2024 of PS K.N. Katju Marg for offence under Section 103(1)/3(5)/61(2)/189(4)/190/191(3) BNS. Learned APP appearing on advance intimation accepts notice and strongly supports the petition.

3. It is contended on behalf of petitioner that ignoring the severity of offences and stage of trial, the learned Additional Sessions Judge granted



interim bail to the accused without issuing notice to the mother of the deceased. Learned counsel for petitioner has also taken me through the medical status report filed before the learned Additional Sessions Judge in the light of the impugned bail order. Learned prosecutor also contends that the impugned bail order is not sustainable in the eyes of law, even if the alleged medical grounds are believed.

4. The fact remains that before granting interim bail in such a case, the complainant *de facto* was not heard.

5. However, since the impugned interim bail is expiring on 26.04.2025 and the accused (*respondent no. 2 herein*) has to surrender, learned counsel for petitioner seeks permission to withdraw this application with liberty to approach the learned Additional Sessions Judge so that he may be heard in case the accused files fresh regular bail application or fresh interim bail application or for extension of the impugned interim bail application.

6. Under these circumstances, the petition is dismissed as withdrawn with liberty as sought.

7. A copy of this order be sent to the trial court of learned Additional Sessions Judge forthwith.

GIRISH KATHPALIA, J

APRIL 17, 2025/as

[Click here to check corrigendum, if any](#)