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IN THE HIGH COURT OF DELHI AT NEW DELHI
BAIL APPLN. 1997/2025 & CRL.M.A. 20035/2025 (for additional documents)

KETAN MALKAN

.....Petitioner

Through: Mr. Rakesh Tiku, Senior Advocate
with Mr. Shantanu Sagar, Mr. Monu
Kumar, Mr. Gunjesh Ranjan and Mr.
Manoneet Dwivedi, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC with SI
Nikhil Singh, PS EOW
Mr. Pramod Kumar Dubey, Senior
Advocate with Mr. Parthiv K.
Goswami, Mr. Nishaank Matto, Mr.
Ayush Kaushik, Mr. Rupraj Banerjee,
Mr. Devrishi Tyagi and Mr.
Dharmender, Advocates.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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04.08.2025

1. At the outset, learned senior counsel for accused/applicant submitted that without pressing for the miscellaneous application for permission to file additional documents, he is ready to address arguments on the main bail application.
2. However, in the midst of arguments being advanced by learned senior counsel for accused/applicant, a query was put and in response, learned ASC on instructions of Investigating Officer/SI Nikhil Singh stated that despite



denial of any interim protection in this case, the accused/applicant has been regularly joining investigation and that presently, he does not want to arrest the accused/applicant. It is further informed by the Investigating Officer that even the co-accused Vivek Tiwari has joined investigation once, despite dismissal of his bail application.

3. In view of above circumstances, the Investigating Officer fairly submits that if he finds it necessary to arrest the accused/applicant, he shall serve on the accused/applicant an advance notice of ten days so that the accused/applicant may approach this court again.

4. Going by the above submission of the Investigating Officer, learned senior counsel for accused/applicant on instructions, seeks permission to withdraw this anticipatory bail application with liberty to file afresh as and when an advance notice of arrest is received by the accused/applicant.

5. Accordingly, without entering into the merits of the case, the bail application and miscellaneous application are disposed of as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

AUGUST 4, 2025/ry