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

+ **BAIL APPLN. 4739/2024**

ABHISHEK KANOJIA

.....Petitioner

Through: Mr. Kanhaiya Singhal, Mr. Prasanna,
Mr. Ajay, Ms. Anisha Rastogi,
Ms. Ankita Makan, Advs.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj pant, APP for State.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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23.01.2025

CRL.M.A. 38714/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The instant application of the present applicant has been taken and heard twice by this Court ie. on 06.03.2024 and 04.07.2024. In both orders the learned predecessor Bench was pleased to direct learned Trial Court to expedite recording of evidence, and particularly providing the evidence of the eye witnesses. Unfortunately, it is noted that the eye witnesses have not yet been examined, despite the directions issued to learned Trial Court.
4. Let a report be called from the learned Trial Court, as to why the eye witnesses have not been examined, till date within two weeks from date.
5. The learned Trial Court is directed to ensure that shorter dates are



given in the present case, since the applicant/accused is in judicial custody and ensure that the eye witnesses are examined at the earliest.

6. In these circumstances, the learned counsel for the applicant seeks permission to withdraw the present application, with liberty to file afresh after the eye-witnesses are examined.

7. Accordingly, the present application is dismissed as withdrawn, with liberty as prayed for.

8. This order be sent by the Registry to the learned Trial Court, within two days from date.

9. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 23, 2025/ VLD

Click here to check corrigendum, if any