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

+ **BAIL APPLN. 340/2026**

SURAJ

.....Petitioner

Through: Mr. Jitender Tyagi & Mr. Kuldeep
Naagar, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Yudhvair Singh Chauhan, APP.
Insp. Shailendra Kr. Singh, PS
Okhla Industrial Area.
Mr. Neeraj Kumar, Standing
Counsel (DHCLSC) for Brother of
Victim.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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07.05.2026

1. By way of this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks regular bail in connection with FIR No. 361/2024, dated 02.05.2024, lodged at Police Station Okhla Industrial Area, Delhi, under Sections 302/34 of the Indian Penal Code, 1860.
2. At the very outset, Mr. Yudhvair Singh Chauhan, learned Additional Public Prosecutor, states that the alleged eye-witness is presently being examined by the Trial Court. He submits that there are three other material witnesses left.
3. After some arguments, Mr. Jitender Tyagi, learned counsel for the



petitioner, seeks permission to withdraw this bail application, without prejudice to the petitioner's right to approach the Sessions Court at the appropriate stage. However, he seeks directions for expeditious recording of evidence of the material witnesses.

4. The petitioner may approach the Sessions Court for expeditious recording of the evidence which the Sessions Court is requested to consider in accordance with its own board and age of the matters pending before it, including if there is inordinate delay in recording of testimony of the material witnesses. Mr. Chauhan assures that the prosecution will cooperate in this process.

5. The application is dismissed as withdrawn in terms of the above.

6. It is clarified that this Court has not made any observation on the merits of the case, and all rights and contentions of the parties in any future application are left open.

PRATEEK JALAN, J

MAY 7, 2026
'pv'/AD/