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

+ **BAIL APPLN. 1564/2026, CRL.M.A. 12489/2026**

**KAPIL @ GAURAV**

.....Applicant

Through: Mr. Akshay, Advocate.

versus

**STATE OF NCT OF DELHI**

.....Respondent

Through: Mr. Tarang Srivastava, APP

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

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**27.04.2026**

1. By way of this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks regular bail in connection with FIR No. 38/2018, dated 15.01.2018, registered at Police Station Prashant Vihar, District Rohini, Delhi, under Sections 302/307/34 of the Indian Penal Code, 1860, and Sections 25/27 of the Arms Act, 1959.
2. At the very outset, Mr. Akshay, learned counsel for the applicant, submits that the evidence of the complainant is yet to be recorded. He seeks permission to withdraw the present application, with liberty to approach the learned Sessions Court at an appropriate stage. He further submits that despite several opportunities over the past two years, the complainant's evidence has not been recorded, and accordingly seeks expeditious recording of the same.
3. Having regard to the period of custody of the applicant, the learned



Sessions Court is requested to consider this request in accordance with its own Board and the age of the matters pending before it.

4. Mr. Tarang Srivastava, learned Additional Public Prosecutor for the State, also assures the Court that the prosecution will not seek unnecessary adjournments before the Sessions Court.

5. The bail application, alongwith the pending application, is dismissed as withdrawn, in terms of the above submissions.

6. It is made clear that the applicant may approach the Sessions Court afresh at the appropriate stage, including if there is an inordinate delay in recording of the evidence of the material witnesses.

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

**PRATEEK JALAN, J**

**APRIL 27, 2026**

*'pv/JM' /*