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

+ BAIL APPLN. 1754/2026 & CRL.M.A. 14159-60/2026
SHEIKH HUSSAINPetitioner
Through: Mr. Sajid Ahmed, Mr. Firoz Iqbal
Khan, Advocates.

versus

STATE OF NCT OF DELHIRespondent
Through: Mr. Tarang Srivastava, APP with
Insp. Manish Bhati, P.S. Bhalswa
Dairy.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
06.05.2026

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1. By way of the present application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks regular bail in connection with FIR No. 852/2022 dated 25.10.2022, registered at Police Station Bhalswa Dairy, District Outer North, Delhi, under Section 302 of the Indian Penal Code, 1860.
2. At the very outset, I am informed that a material eyewitness is presently being examined before the Sessions Court. Mr. Tarang Srivastava, learned Additional Public Prosecutor, states that there are some other material witnesses, but according to Mr. Sajid Ahmed, learned counsel for the applicant, they are relevant only for identification of the body of the deceased.
3. As it is undisputed that a material eyewitness is still under



examination, Mr. Ahmed seeks permission to withdraw the present application at this stage, without prejudice to the applicant's right to approach the Sessions Court at the appropriate stage.

4. Mr. Ahmed, however, seeks a direction to the Sessions Court to expedite the recording of evidence. He may make such a request to the Sessions Court, which is requested to consider the same in accordance with its Board and the age of the matters pending before it.

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 The bail application, alongwith pending applications, is dismissed as withdrawn in terms of the above submission.

6. It is made clear that this Court has not made any comment on the merits of the case or on any proposed application before the Sessions Court, which may be considered by the Sessions Court in accordance with law. The rights and contentions of the parties remain reserved.

PRATEEK JALAN, J

MAY 6, 2026

"Bhupi/KA"/