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

+ BAIL APPLN. 4802/2025

KADIR ALIAS QADIR

.....Applicant

Through: Mr. Pavitra Veer Singh, Advocate.

Versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Satish Kumar, APP with Mr. Upasana Bakshi, Divya Bakshi and Mr. Gourav Singh, Advocates.
SI Mahipal, PS-Dayalpur.
Mr. Gaurav Vashisht, Advocate for the complainant.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

21.04.2026

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1. As recorded in the last order dated 19.03.2026, the applicant had earlier filed BAIL APPLN. 3093/2025, which was dismissed as withdrawn vide order dated 13.10.2025 passed by this Court on a specific and conscious statement made by learned counsel for the applicant, which is not disputed. The same reads as under:

“1.This Court notes that the complainant is yet to be examined before the learned Trial Court and the matter stood adjourned... ..

2. At this stage, the learned counsel appearing for the applicant seeks permission of this Court to withdraw the present application with liberty to move a fresh application after the complainant is examined by the learned Trial Court.”



2. It was thus recorded in the last order passed by this Court that “... .. *the cross examination of the complainant is yet to be commenced and the FSL report is likely to be filed tomorrow before the learned Trial Court..*”.

3. A perusal of the record reveals that the present bail application has been filed in the month of December 2025, even though cross-examination of the complainant is yet to be commenced, and thus the same is premature, more so, in view of the categorical statement made by learned counsel for the applicant earlier.

4. As such, the present bail application being not maintainable, is accordingly dismissed.

5. However, the learned Trial Court is once again requested to prepone the date of hearing for recording of evidence of the complainant, although, subject to its convenience.

SAURABH BANERJEE, J

APRIL 21, 2026/NA