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

+ **BAIL APPLN. 1277/2023**

KANHAIYA RAWAT @ KANA Petitioner

Through: Mr. Gaurav Sharma, Advocate
(DHCLSC)

versus

STATE (NCT OF DELHI) & ANR. Respondents

Through: Mr. Amit Ahlawat, APP for the State
with Insp. Kuldeep Singh.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

30.11.2023

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1. The present petition has been filed under Section 439 Cr.P.C. read with Section 482 Cr.P.C. by the petitioner in FIR No. 318/2016 under Sections 393/302/34 Indian Penal Code, 1860 registered at Police Station Rohilla.
2. After some arguments, learned counsel for the petitioner submits that petitioner has been in custody for the last more than 7 years and till date, only 10 witnesses have been examined
3. On the contrary, it is submitted by learned APP, on instructions from the IO, that 14 witnesses have been examined and the matter is coming up for PE before the learned Trial Court on 05.01.2024.
4. Learned counsel for the petitioner, on instructions from the petitioner, submits that at this stage, he is not pressing the present bail



application, however, directions may be issued to learned Trial Court to dispose of the case as expeditiously as possible and to examine Head Constable Gurmail Singh on the next date of hearing, i.e, 05.01.2024.

5. In view of the submissions of learned counsel for the petitioner and looking into the fact that the petitioner is in custody for more than last 7 years, learned trial court is requested to dispose of the matter pending before it as expeditiously as possible preferably within six months from the date of receipt of the present order and to examine the Head Constable Gurmail Singh on the next date of hearing, i.e, 05.01.2024.

6. With these observations, the present petition stands disposed of.

7. A copy of this order be electronically transmitted to the concerned Trial Court.

RAJNISH BHATNAGAR, J

NOVEMBER 30, 2023

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