



to the petitioner to seek discharge before the trial Court. However, he will have to appear before the Court and apply for regular bail. The apprehension of the petitioner appears to be that in that eventuality he may be arrested.

The fact remains that he was not arrested during investigation and was even protected by the order of the Court and has stated to have cooperated with the investigation as apparent from the aforesaid. That being the position, it is not necessary for the prosecution to arrest the petitioner to produce him before the trial Court in view of the judgment of this Court in Criminal Appeal No. 838/2021 (arising out of SLP(Cr1.) No. 5442/2021), *Siddharth Vs. The State of U.P. & Anr.*, decided on 16.08.2021 and the principle laid down would govern the case of the petitioner.

The special leave petition stands disposed of accordingly.

Pending applications stand disposed of.

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)