

IA No. 10/24 in SC No. 44429/15
State Vs. Moinuddin @ Nanha & Ors.
FIR No. 3/2012
PS Seelampur

21.10.2024

Present: Sh. Kamal Akhter, Ld. Addl. PP for the State.
Sh. Abbas Khan, Ld. Counsel for the applicant/accused.

The present application seeking grant of regular bail is filed u/s 439 Cr.PC. The present application was filed after 01.07.2024, when Cr.PC is no longer in force. In view of the decision of the Hon'ble High Court of Delhi in "*Prince Vs. Government of NCT of Delhi*" Bail application no. 2399/2024, the present application u/s 439 Cr.PC is prima facie not maintainable.

Similar observations were given by the Hon'ble High Court of Delhi in "*State Vs. Dharmendra @ Dharma*" CrI. LP 472/2024, date of decision 26.09.2024.

The Ld. Counsel for the applicant/accused has submitted that he does not want to press the present application at this stage and he may be allowed to withdraw the same and he shall file the appropriate application under BNSS, 2023.

The present application stands dismissed as withdrawn.

The application stands disposed of accordingly.

Copy of this order be given Dasti to all concerned.

(ATUL AHLAWAT)
ASJ (FTC)/North-
East/KKD Courts/
Delhi/21.10.2024