

Amit Vs. State

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Court : Delhi

Decided On : Nov-28-2014

Judge : Sudershan Kumar Misra

Appellant : Amit

Respondent : State

Judgement :

§~9 * IN THE HIGH COURT OF DELHI AT NEW DELHI + BAIL APPLN. 2515/2014 AMIT Petitioner Through: Mr. B.P. Sharma and Ms. Archana Sharma, Advocates with petitioner in person. versus STATE Through: Respondent Mr. P.K. Mishra, APP for the State with IO/ASI Bhagat Sharma, PS Frash Bazar. CORAM: HON'BLE MR. JUSTICE SUDERSHAN KUMAR MISRA % SUDERSHAN KUMAR MISRA, J.

(Oral) 1. The petitioner is present in person in Court.

2. Apart from other aspects, counsel for the State has also pointed out that petitioner has been eluding the police and therefore Non-Bailable Warrants have been issued for his arrest. Under the circumstances, the petitioners position appears to be that there is some inherent right available to citizens to abscond the moment they fear an accusation and arrest; and to remain away from the reach of the police even after their initial application seeking anticipatory bail is refused by a competent court; till such time as they are able to persuade the courts, through

their counsel, to grant anticipatory bail in subsequent applications. In response, counsel for the petitioner took the stand that the petitioner has always been available throughout and to show his bonafides, he is also present before this Court and will take the consequences of whatever order that is passed.

3. After some arguments, counsel for the petitioner states that he does not wish to press this petition any further, and wishes to withdraw the same.

4. The petition is dismissed as not pressed.

5. It is also noticed that although the petitioner was present at the commencement of arguments, however, by the time, the dismissal order came to be passed; and before the police officials could take steps to apprehend him in terms of the Non Bailable Warrants that had been issued by the court below, he had left the Court premises once he realized that the matter was going against him. This, to my mind, shows clearly that the petitioners conduct, even before this Court, was not bonafide. His appearance before this Court was a perfidious act aimed at deceiving this Court as to his bonafides to induce it to grant him protection from arrest, although his intention remained, as I had suspected, to defiantly elude the police and frustrate all attempts to arrest him, from the very beginning.
SUDERSHAN KUMAR MISRA Judge NOVEMBER28 2014 dr

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