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HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 40784 of 2025

Munawwar Hasan Mansoori

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Ashutosh

Counsel for Opposite Party(s) : Bhavana Mishra, G.A., R.U. Rinki Renu

Court No. - 65

(Sl. No. 112 out of 269)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Neither the counsel for the applicant nor the counsel for the informant is present. However, Ms. Bhavana Mishra, learned counsel for High Court Legal Services Committee and Sri Yogesh Mishra, learned State Law Officer are present.

2. Applicant seeks bail in Case Crime No. 154 of 2025, U/S 65(2) of BNS and Sections 5(M)/6 of POCSO Act, Police Station- Izzat Nagar, District - Bareilly, during the pendency of trial.

3. Learned counsel for the High Court Legal Services Committee has opposed the prayer for bail on the ground that even on the earlier date, i.e. 08.04.2026, counsel for the applicant was absent. It is further submitted that there are two victims in the present bail application, and, as per the medical reports, victim V₁ has sustained injuries whereas victim V₂ has not suffered any injury.

4. In view of the aforesaid circumstances, I myself have perused the record. The instant bail application was filed on 15.11.2025 and none was present on behalf of the applicant to press it on 08.04.2026 and so is the case today. As per the medical report, redness was found present on the vital part of victim V₁.

5. It is observed by this Court that advocates are not appearing in majority of listed cases that too on multiple dates. Non-appearance of the counsel

for the applicant amounts to professional misconduct. It also tantamounts to *bench hunting or forum shopping*.

6. Mere pendency of the bail application cannot accrue any right in favour of the applicant. It cannot be allowed to swing years together in the cloak of pendency. The applicant cannot be permitted to dilute the stream of justice by repeatedly remaining absent from judicial proceedings without any reasonable explanation. Absence of any reason for non-appearance is blatant abuse of process of law, even though the order is available on the website of the High Court.

7. The resources of the Court which includes precious judicial time are scarce and already stretched beyond elastic limits. Valuable Court time, which is required to be engaged in adjudication of serious judicial action, is wasted on frivolous and vexatious litigation which is misconceived and is an abuse of the process of law. A judicial system has less than sufficient resources to afford justice without unreasonable delay to those having genuine grievances. Therefore, increasingly, the Courts have held that totally unjustified use of judicial time must be curbed and the party so wasting precious judicial resources, must be required to compensate not only the adversary but also the judicial system itself.

8. It appears that the applicant has lost interest in pursuing the matter. Therefore, by the efflux of time, it seems to have been rendered infructuous.

9. The instant case is the misuse of process of court by the applicant.

10. In view of the aforesaid facts and circumstances of the case and also the medical report of the victim V₁, the application is, accordingly, ***rejected***.

11. The Registrar (Compliance) is directed to communicate this order to the concerned Court/authority for necessary information and compliance, forthwith.

(Krishan Pahal,J.)

May 14, 2026
Siddhant