

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1912 OF 2015
ALONGWITH
BAIL APPLICATION NO.117 OF 2016

Jawaharlal Motilal Shakya	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. Arun Rajput, Adv. a/w. Anjali Patil, Adv. for the applicant in BA No.117 of 2016.

Mr. Pravin Dabale, Adv. i/b. Tejasweeta V. Bhosale, Adv. for applicant in BA No.1912 of 2015.

Mrs. G.P. Mulekar, APP for the State.

CORAM : SMT ANUJA PRABHUDESSAI, J.

DATE : 29th February, 2016.

P.C. :

1. The applicant herein is facing trial in Sessions Case No.429 of 2015 for offences punishable under Section 201 and 302 r/w.34 of the IPC. Said case arises from Crime No.57 of 2015 registered at the Dighi Police Station, Pune.

2. The records reveal that the applicant herein had filed these applications being bail application No.1912 of 2015, bail application no.1663 2015 and bail application no.117 of 2016 in respect of the same crime. The Bail Application No.1663 of 2015 was dismissed as withdrawn by this Court order dated 9th December, 2015. It is seen

that in all the three bail applications, the applicant had made a statement that no other bail application was filed or pending before the Court. The records thus reveal that the applicant had made false statement in each of these application.

3. At this stage it would be advantageous to refer to the Apex Court decision in the case of *S.P. Chengalvaraya Naidu Vs. Jagannath & Ors., AIR 1994 Supreme Court 853.*

The Courts of law are meant for imparting justice between the parties. One who comes to the Court, must come with clean hands. It can be said without hesitation that a person whose case is based on falsehood has no right to approach the Court. He can be summarily thrown out at any stage of the litigation.

4. In the instant case as stated earlier the applicant has filed three applications in respect of the same crime and has made a false statement in each of these applications that no other application is pending. The applicant has not come with clean hands and this fact is itself sufficient to dismiss the application.

5. The applications are therefore dismissed.

(ANUJA PRABHUDESSAI, J.)