

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1436 OF 2018

Vijay Chandrakant Dalvi

....Applicant.

Vs.

The State of Maharashtra & Anr.

....Respondents.

Mr. Vineet Sukumaraan I/by Mr. Satish Saket for the Applicant.

Ms. Rutuja Ambekar APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 8th AUGUST, 2018.

P.C.:-

In pursuance of Order dated 19th July 2018, the learned counsel for the Applicant, on instructions, fairly submitted that on 17th July, 2018 his client was not residing at the address given in the cause title and the verification clause of the Application.

2 The Investigating Officer of the present crime on 19th July, 2018, had made a categorical statement that the address given by the Applicant in the cause title of the Application and the verification clause is not genuine, as he had personally verified the same prior to 19th July, 2018. Thus, it is crystal clear that the Applicant, by making false statement on oath, has filed the present Application.

3 The learned counsel Mr. Vineet Sukumaraan appearing for

the Applicant in furtherance of the falsehood, at the behest of the Applicant, is repeatedly trying to justify the conduct of his client by making irrelevant submissions and further submitted that when a question of life and liberty of the citizen of India arises, the Court should not take into consideration the technical niceties like falsehood of the Applicant and/or false statement made on oath. The said submission is recorded only for its rejection at its threshold as it is contrary to the well settled principles of law.

At this stage, the learned counsel for the Applicant tendered unconditional apology for the same. The same is accepted.

4 The filing of the present Application since inception proceeds on the footing of falsehood and in view thereof, the Applicant does not deserve any sympathy from this Court.

5 Application is dismissed *in limine*.

S S
Mashalkar

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(A.S. GADKARI, J.)