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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1271/2020**

PANKAJ YADAV

..... Petitioner

Through: Mr. Atul Bansal, Adv.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Ms. Meenakshi Dahiya, APP for State
with IO/SI Kamal Sharma.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **29.07.2020**

(Video Conference Hearing)

Mr. Bansal, ld. counsel for the applicant submits that his presence has not been correctly recorded in the last proceedings inasmuch as in place of his name the name of the applicant appears. Let the last proceedings of 17.07.2020 be read for the appearance of counsel for the applicant to be 'Mr. Atul Bansal, Advocate' instead of 'Mr. Pankaj Yadav, Advocate'.

The instant application came to be filed with the particulars and residential address of the applicant as follows:

*"Pankaj Yadav
S/o Shri Lakhan Yadav
R/O: RZF- 346,
Nihal Vihar, Delhi."*

On being queried, Mr. Bansal states that the address given in the application would be the address of the residence of the applicant on being released on bail and that, such address was given as the family of the applicant had resided there for few months from November, 2019 to January, 2020. The statement so made at the bar leaves no doubt that while making the application for bail, the applicant did not disclose his correct residential address where he permanently resided. Surreptitiously, the status report dated 04.07.2020 is also silent as regards the correctness of the address furnished in the bail application and is so conceded to by Ms. Dahiya, Id. APP.

At this stage, Mr. Bansal, Id. counsel for the applicant comes forward to submit that he has instructions to not to pursue the instant proceedings for bail any further and the applicant reserves his right to file a fresh bail application furnishing his fresh and the correct residential address in the first instance, before the Trial Court. In his submissions, the applicant chooses to act so in order to clear the air of any mischief which may be attributed to the applicant especially, in view of the fact that similar bail application of the co-accused filed by the same Advocate in the similar circumstances, was dismissed as withdrawn before another Bench where the said bail application came to be listed inadvertently by the Registry. In this regard, the court has also perused the explanation of the registry and placed in Bail Application No. 1363/2020 listed today only.

Taking into account the totality of facts and circumstances and the submissions made on behalf of the applicant, the instant proceedings taken up on the receipt of letter no. F.10/SCJ 10/Rohini/AS(CT)/2020/2008 dated

07.07.2020 from the office of the Superintendent, Central Jail No. 10 do not require any further consideration and are closed. The applicant is at liberty to approach the Trial Court, as prayed. It goes without saying the Registry shall be more careful in future.

A. K. CHAWLA, J

JULY 29, 2020

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