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

+ **BAIL APPLN. 1996/2020 & CRL. M.A. 10317/2020**

AMAN alias AMMU

..... Petitioner

Through: None.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Mukesh Kumar, APP for State
with SI Sanjeev Choudhary, P.S.
Delhi Cantt.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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10.08.2020

(Video Conference Hearing)

In spite of a passover, the counsel for the applicant has not been able to join for hearing. Instant bail application has come to be received on transfer vide order dated 31.07.2020, which reads as follows:

“1. Vide the present petition under Section 439 of the Code of Criminal Procedure, the petitioner seeks interim bail in case FIR No. 688/2014 under Sections 302/307/120B IPC and Sections 25/27 of the Arms Act, 1959 registered at PS Delhi Cantt., Delhi.

2. A perusal of the record shows that the petitioner's prayer for interim bail was as recently as on 02.07.2020, rejected by HMJ A.K. Chawla after inter alia observing that he was involved in 11 other cases. Learned counsel for the petitioner submits that

the said observation is factually incorrect and, therefore, prays that the present petition wherein interim bail is sought on fresh grounds, may be listed before the same Bench.

3. *At request, list on 10.08.2020 before HMJ A.K. Chawla, subject to orders of Hon'ble the Chief Justice."*

The previous bail application of the applicant was dismissed by this Bench on 02.07.2020. The order is as follows:

"The applicant seeks interim bail on the premise of sickness of his wife. As per the status report, the medical condition of the wife of the application is stated as under:

"Patient Anita came in OPD on dated 8th June, 2020 against receipt no. 45355 with complaint of burning micturition, pain in lumber region Backache, white discharge since 3-4 days.

Patient Anita is suffering from Burning micturition, pain in lumber region Backache, white discharge since 3-4 days hence advised for UGS W/A to diagnose but refused by patient & attendant.

As per physical examination illness was not fatal. To diagnose the fatality USG W/A was advised but refused by the patient and attendant.

Patient came in OPD and not found severe hence patient was not admitted in hospital.

As patient refused to execute USA W/A hence it is difficult to diagnose and suggest time duration of the cure. Although as per physical examination patient can be cured by 3-4 days medication.

Patient has refused for tests as shown in above points but as per physical examination patient have no need of post medication care.”

As per the status report, there is no medical exigency of the wife calling for any attendance of the applicant. Even otherwise, as per the status report, the applicant is involved in 11 Other cases.

I am not inclined to entertain the present petition in view of the aforesaid circumstances. The petition is dismissed.”

Today, during the course of hearing, when an adverse comment was made by the Court as regards the conduct of the applicant, Mr. Ravindra Narain, Adv. though without being seen on the screen, started interjecting in hearing. In the present bail application the ground for seeking indulgence *inter alia* is stated as follows:

“8. That the brother-in-law of the applicant (Jija) expired on 06/07/2020 and was created on 07/07/2020 but the applicant could not attend his funeral and father of the applicant had expired on 15/09/2020 and his barsi is slated for 15-09-2020 and thus is required for performance of certain rituals with respect to his brother-in-law (Jija) and also for making arrangements for the barsi of his father as there is no other male member in h is family.”

As per the foregoing averments, the brother-in-law of the applicant had died on 06.07.2020. As regards the father of the applicant, he is stated to have expired on 15.09.2020 which date is yet to arrive. It appears, the applicant as also his counsel are taking the judicial proceedings for granted

and wasting the valuable time of the Court besides the prosecution.
Dismissed.

A. K. CHAWLA, J

AUGUST 10, 2020
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