2026:AHC:227124

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 13060 of 2025

Asif

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite Party(s)

Counsel for Applicant(s)	:	Akhilesh Pandey, Pradeep Singh
Counsel for Opposite Party(s)	:	Deepak Kumar Verma, G.A.

Court No. - 68

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. Learned A.G.A., Sri A.K. Shukla, is present. Neither learned counsel for the applicant nor learned counsel for the informant is present.

2. Applicant seeks bail in Case Crime No. 143 of 2024, under Sections 363, 377 I.P.C. and 5m/6 POCSO Act and 3(2)(V) S.C./S.T. Act, Police Station Rasoolabad, District Kanpur Dehat, during the pendency of trial.

3. The instant bail application was filed on 17.4.2025 and none was present on behalf of the applicant to press it on 23.9.2026, 24.8.2026, 10.8.2026, 9.7.2026 and 15.9.2025 and so is the case today.

4. 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 tantamount to *bench hunting or forum shopping.*

5. 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.

6. 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.

7. 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.

8. The instant case is the misuse of process of Court by the applicant.

9. In view of the aforesaid facts and circumstances, this Court declines to entertain this bail application. The application is, accordingly, ***rejected***.

(Krishan Pahal,J.)

November 2, 2026
Shalini

Digitally signed by :-
SHALINI JAISWAL
High Court of Judicature at Allahabad