

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous Bail No. 6322/2018

Shahrukh @ Shahroof S/o Shri Sahun B/c Mev, R/o Papda, Police Station Pingava, Distt. Nuh, Mewat (Haryana) (At Present Confined In Sub Jail Kishangarh Bas, Distt. Alwar)

----Petitioner

Versus

State Of Rajasthan Through P.p.

----Respondent

For Petitioner(s) : None present

For Respondent(s) : None present

HON'BLE MR. JUSTICE PANKAJ BHANDARI

Judgment / Order

31/05/2018

1. In "Ex-Capt. Harish Uppal versus Union of India and Anr. 2003 (2) SCC 45, Apex Court has held that lawyers have no right to go on strike or to give a call for boycott of Courts. Calls given by Bar Association or Bar Council for such purpose cannot require the Court to adjourn the matters. In "Krishnakant Tamrakar Versus The State of Madhya Pradesh" decided by the Apex Court on 28.3.2018. The Apex Court has held that strike by advocates is in violation of law laid down by the Apex Court and the same tantamounts to contempt. The Apex Court has further held that the office bearers are liable to be removed from the office for passing resolution for strike. In view of the judgment of Apex Court in Ex.Captain Harish Uppal Vs. Union of India and "Krishnakant Tamrakar Versus The State of Madhya Pradesh",

since the advocates are abstaining from work since 21.5.2018, this Court deems it proper to pass order on merits.

2. Petitioner has filed this bail application under Section 439 of Cr.P.C.

3. F.I.R. No.166/2018 was registered at Police Station Tizara, District Alwar for offence under Sections 420, 467, 468, 471 and Section 120-B I.P.C.

4. I have perused the record.

5. Petitioner is a young boy who is aged 19 years. He is not required for further investigation, hence, I deem it proper to allow the bail application.

6. This bail application is accordingly allowed and it is ordered that the accused-petitioner shall be released on bail provided he furnishes a personal bond of Rs. 50,000/- (Rupees Fifty thousand only) and two sureties in the sum of Rs.25,000/- (Rupees Twenty Five thousand only) each to the satisfaction of the learned trial court with the stipulation to appear before that Court and any court to which the matter is transferred, on all dates of hearing and as and when called upon to do so.

(PANKAJ BHANDARI),J