

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

S.B. Criminal Miscellaneous IInd Bail No. 6880/2018

Saddam S/o Leela B/c Meo, R/o Village Tehi Ka Bas, Police Station Sikari Distt. Bharatpur. (At Present Confined At Sub Jail Deeg)

----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

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 second bail application under Section 439 of Cr.P.C.

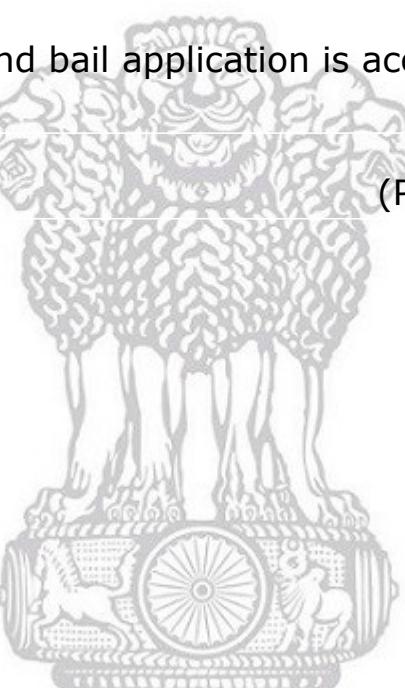
3. F.I.R. No. 329/2017 was registered at Police Station Sikari District Bharatpur for offence under Sections 498-A, 406, 323, 307 of I.P.C.

4. No case is made out for entertaining the present second bail application as statement of the complainant has been recorded and she has reiterated the allegations that she has levelled in the F.I.R.

5. Hence, this second bail application is accordingly rejected.

(PANKAJ BHANDARI),J

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सत्यमेव जयते