

ITEM NO.13

COURT NO.8

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 2410/2022

(Arising out of impugned final judgment and order dated 22-02-2022
in BA No. 4022/2021 passed by the High Court of Delhi at New Delhi)

PRIYA ARORA @ PRIYA MISRA

Petitioner(s)

VERSUS

STATE (GOV. OF NCT OF DELHI)

Respondent(s)

(IA No. 37153/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Date : 07-04-2022 These matters were called on for hearing today.

CORAM : HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s) Mr. Chayan Sarkar, Adv.
Mr. Shailendra Kumar, Adv.
Ms. Anzu. K. Varkey, AOR

For Respondent(s) Mr. vikramjit Banerjee, ASG
Mr. Shyamal Kumar, Adv.
Mr. Nachiketa Joshi, Adv.
Mr. Praneet Pranav, Adv.
Mr. P.V. Yogeshwaran, Adv.
Mr. Abhishek Singh, Adv.
Mr. Siddhartha Sinha, Adv.
Mr. Prashant Rawat, Adv.
Mr. Tathagat, Adv.
Mr. Aditya Mishra, Adv.
Mr. Gurmeet Singh Makker, AOR

UPON hearing the counsel the Court made the following
O R D E R

Heard the learned counsel for the parties.

This special leave petition is against an order dated

22.02.2022 passed by the High Court of Delhi rejecting the prayer of the petitioner for bail.

The High Court noted :

"3. It is noted that the applicant's application seeking extension of interim bail was dismissed as withdrawn vide order dated 10.11.2021 passed in BA APPLN. 2773/2021. Learned counsel for the applicant has referred to orders passed by this Court granting extension of interim bail to the applicant from time to time, however, a perusal of the same would show that extension of interim bail was granted in pursuance of the orders passed by the Full Bench of this Court in W.P. (C) 4921/2021 titled as Court On Its Own Motion v. State (Govt. of NCT of Delhi). In terms of the order dated 22.10.2021 passed by the Full Bench of this Court, the inmates, who were released on interim bail, were directed to surrender back in a phased manner and the applicant's date of surrender was 15.11.2021.

4. Learned counsel for the applicant has failed to show any order in his favour beyond 15.11.2021.

5. Keeping in view the totality of facts and circumstances of the case, this Court is constrained to note that the applicant has not surrendered despite passing of the order dated 22.10.2021 in W.P.(C) 4921/2021 as well as fact noted in the order dated 17.11.2021 in the present case.

6. Accordingly, the present application is dismissed. The applicant shall be at liberty to file a fresh bail application after surrendering."

Considering the reasons for which the bail application has been rejected and, in particular, the reason that the applicant has not surrendered despite passing of the order dated 22.10.2021 in W.P.(C) 4921/2021, the question of interference by this Court does not arise. The petitioner is bound to surrender.

The special leave petition is, accordingly, dismissed.

If, after surrendering, the petitioner applies for bail before the High Court, such application for bail shall be considered in accordance with law.

Pending applications, if any, shall stand disposed of.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(MATHEW ABRAHAM)
COURT MASTER (NSH)