

2022 LiveLaw (SC) 215

IN THE SUPREME COURT OF INDIA
VINEET SARAN; C.T. RAVIKUMAR, JJ.

Writ Petition(s)(Criminal) No(s). 48/2022; 21-02-2022

BALAKRAM @ BHURA VERSUS THE STATE OF UTTAR PRADESH & ORS.

Constitution of India, 1950 - Article 32 - Bail - Writ petition challenging the order of the Magistrate granting bail - Judge granting bail and Addl. District Judge who refused to interfere with said order impleaded by name - Conduct of the petitioner deprecated - No reason why the petitioner should have filed this writ petition directly in this court.

For Petitioner(s) Mr. Ashok Kumar Sharma, Sr. Adv. Mr. Vikalp Mudgal, AOR Mr. Kshitij Mudgal, Adv. Mr. Ashish Kumar Chaurasiya, Adv. Mr. Raj Kumar, Adv.

ORDER

This writ petition has been filed under Article 32 of the Constitution of India challenging the order of the Magistrate granting bail to respondent nos. 2 to 5. Firstly, we see no reason why the petitioner should have filed this writ petition challenging the order of the Magistrate directly in this Court. Further, we also fail to understand why the Judge granting bail has been impleaded by name as respondent no.6 and also the Additional District Judge, who has refused to interfere with the order passed by the Magistrate has been impleaded by name as respondent no.7. The said conduct of the petitioner is deprecated.

We, thus, dismiss this writ petition with cost of Rs. 5,000/-. The cost be deposited with the Supreme Court Advocates-on-Record Welfare Fund within four weeks from today.

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