

Court No. - 10

Case :- CRIMINAL MISC. BAIL CANCELLATION APPLICATION No. - 114 of 2022

Applicant :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Home, Civil Sectt. Lko.

Opposite Party :- Mohd. Rizwan @ Raziwan

Counsel for Applicant :- G.A.

Counsel for Opposite Party :- Parmanand Gupta

Hon'ble Dinesh Kumar Singh,J.

1. Heard Sri Rao Narendra Singh, learned AGA for the State.
2. Notice on behalf of accused-respondent, Mohd. Rizwan @ Raziwan, has been accepted by Sri Parmanand Gupta, the counsel who obtained bail from this Court vide order dated 22.3.2022 in Criminal Misc. Bail Application No.2830 of 2022.
3. Earlier this Court vide a detailed order dated 19.2.2021 passed in Criminal Misc. Bail Application No.19872 of 2020 had rejected the bail application of the accused-respondent.
4. Sri Parmanand Gupta, learned counsel for the accused-respondent without disclosing the fact that earlier the High Court had rejected the bail application of the accused-respondent by misleading the Court, obtained the bail of the accused-respondent from another Bench. He had obtained several similar orders by concealing the material aspect of the matter that earlier another Bench of this Court had rejected the bail application of the accused persons. This is not the solitary case in which Sri Parmanand Gupta had grossly misconducted himself against the Bar Council Rules, professional ethics and unbecoming of the officer of the Court. Therefore, prima facie, he is guilty of playing fraud with the Court and interfering in the course of justice by misleading the Court by concealing the very material fact of rejection of the bail by another Bench for obtaining favourable orders in favour of the accused. He has

made efforts to pollute the stream of justice by his highly unprofessional conduct.

5. In view thereof, the Court is of the opinion that Sri Parmanand Gupta, Advocate, has, prima facie, committed contempt of this Court by concealing the material aspect of the matter and by misleading the Court obtained favourable order(s) of bail in respect of the accused-respondent.

6. Sri Parmanand Gupta, Advocate, is therefore, issued show cause notice that why he should not be proceeded with for committing the contempt of this Court and his entry to the High Court be barred in order to protect the dignity and integrity of the High Court. He is granted two weeks' time to file reply to the show cause notice.

7. Since the order dated 22.3.2022 passed in Criminal Misc. Bail Application No.2830 of 2022 was obtained by playing fraud, concealing the earlier order rejecting the bail application of the accused-respondent and misleading the Court, the order dated 22.3.2022 is kept in abeyance till further orders.

8. The State is directed to arrest the accused-respondent forthwith, if he has been released on bail and put him behind bar.

9. List this bail application on 17.11.2022

Order Date :- 2.11.2022

Rao/-