
(2022) 12 RAJ CK 0006

In the Rajasthan High Court

Case No : S.B. Criminal Miscellaneous Application No. 259 Of 2022

Sohan La And Others

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 02-12-2022

Acts Referred:

Citation : (2022) 12 RAJ CK 0006

Hon'ble Judges : Dinesh Mehta, J

Bench : Single Bench

Advocate : Shree Kant Verma, S. S. Rajpurohit

Judgement

Dinesh Mehta, J

1. The present application has been filed seeking extension of time allowed to surrender, which this Court had granted vide order dated 21.3.2022.
2. It is to be noted that on 21.03.2022, this Court, while adopting a liberal approach, had converted arrest warrant issued against the applicants into bailable warrants and had permitted them to appear before the trial Court on or before 15.04.2022. It is rather surprising that yet they have neglected to appear before the trial Court and have sought extension of time by way of the present application.
3. Mr. Verma, learned counsel for the applicants submitted that applicant No.1 – Sohan Lal is HIV positive and both the applicants were engaged in the treatment and hence could not appear before the trial Court.
4. The applicants have simply sought extension of time without producing any documentary evidence indicating the fact that applicant No.1 – Sohan Lal is suffering from HIV.
5. Be that as it may.
6. Even if it is assumed that the applicant No.1- Sohan Lal is suffering from some

disease, it is not the fact pleaded that he has been inflicted with the disease (HIV) after passing of the order dated 21.03.2022.

7. It is a matter of great concern that both the applicants have failed, rather avoided to appear before the trial Court by the window provided – i.e. 15.04.2022. Even the present application has been filed on 17.08.2022 (after about four months) of the scheduled date of appearance.

8. The conduct of the applicants shows their negligence rather their attitude of avoiding the proceedings. They are thus, not entitled to any indulgence or sympathy.

9. The application, therefore, fails.