

Court No. - 93

Case :- APPLICATION U/S 482 No. - 9767 of 2021

Applicant :- Dev Karan Choudhary

Opposite Party :- State Of U.P. And Another

Counsel for Applicant :- Shyam Babu Vaish

Counsel for Opposite Party :- G.A., Bijay Kumar Srivastava

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard Sri Shyam Babu Vaish, learned counsel for the applicant and Sri B.K. Srivastava, learned A.G.A. for the State.
2. The present application has been filed for quashing of the summoning order dated 29.08.2019 passed in Complaint Case No. 1322/2018 (Prem Singh vs. Devkaran and others) under sections 363, 384 and 506 IPC pending in the Court of Judicial Magistrate, Jewar, Gautam Budh Nagar.
3. The contention of learned counsel for the applicant is that in the present case, interim order was granted on 13.09.2021 but subsequently, it could not be extended. He further submits that now he does not wish to press the prayer for quashing of the impugned proceedings and want to surrender before the court below if some protection is granted to him. Therefore, necessary directions may be issued for expeditious disposal of his bail application.
4. Considering the aforesaid submission, the present application is ***disposed of*** with a direction that if the applicant surrenders and moves an application for bail before the court below within 15 days from today, then his application shall be considered in view of the law laid down in **Satendra Kumar Antil vs. Central Bureau of Investigation and Another, (2021) 10 SCC 773**.
5. For a period of four weeks or till disposal of the bail application, whichever is earlier, no coercive action shall be taken against the applicant.

Order Date :- 18.10.2023

Madhurima