Court No. - 86

Case :- APPLICATION U/S 482 No. - 39394 of 2023

Applicant :- Omkar Sharma
Opposite Party :- State of U.P. and Another
Counsel for Applicant :- Annapurna Devi
Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.

2. This application under Section 482 Cr.P.C. has been filed with the prayer to quash the charge sheet No. 40 of 20-05 dated 18.2.2005, cognizance order dated 19.5.2005 and non bailable warrant dated 21.6.2016 as well as further proceedings of Case No. 5149 of 2012 (State Vs. Omkar) arising out of case crime No. 49 of 2005, under Sections 323, 504, 324 IPC, Police Station- Fazalganj, District-Kanpur Nagar, pending in the court of Civil Judge (Junior Division) FTC/CAW Kanpur Nagar.

3. After some arguments, learned counsel for the applicant has made a statement at the Bar, on instructions, that he does not want to press other prayers made in the instant application and states that the applicant is ready to appear before the court below and seek his bail and that his release be considered in view of law laid down by Hon'ble Apex Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and another reported in (2022) 10 SCC 51.**

4. Per contra, learned AGA states that he has no objection to the aforesaid prayer made by learned counsel for the applicant for not pressing the other prayers made in the instant application.

5. In view of the above, in case the applicant appears before the court below within three weeks from today and seeks bail, his release be considered in view of law laid down by Hon'ble Apex Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and another reported in (2022) 10 SCC 51.**

6. With the aforesaid observations, this application under Section 482 Cr.P.C. is finally disposed off.

Order Date :- 22.11.2023

KU

Digitally signed by :-
KALIM UDDIN SIDDIQUI
High Court of Judicature at Allahabad