

Court No. - 88

Case :- APPLICATION U/S 482 No. - 32672 of 2023

Applicant :- Nandlal Yadav And Another

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Akhilesh Singh, Shivam Yadav

Counsel for Opposite Party :- G.A., Vipin Kumar Singh

Hon'ble Sanjay Kumar Singh, J.

1. Heard learned counsel for the applicants, learned Additional Government Advocate for the State of U.P./opposite party no.1, Mr. Vipin Kumar Singh, learned counsel for the opposite party no.2 and perused the record.

2. This application under Section 482 Cr.P.C. has been filed by the applicants to quash the charge-sheet dated 19.02.2023, summoning order dated 05.07.2023 and proceedings of S.S.T. No. 136 of 2023 (State Vs. Nandlal Yadav and others) arising out of Case Crime No. 0380 of 2022, under Sections 323, 504, 506, 354-A I.P.C. and Section 7/8 POCSO Act, Police Station Sarai Khwaja, District Jaunpur, pending in the court of learned ASJ/POCSO-Ist, Jaunpur.

3. At the outset learned counsel for the applicants gave up his challenge to the aforesaid impugned charge-sheet, impugned summoning order and impugned criminal proceedings against the applicants and confined his submission requesting to grant some protection to the applicants to surrender before the concerned court below. The learned counsel for the applicants further stated at the Bar that he is not pressing any other prayer made in this application on merits and prayed that a direction may be issued to the concerned courts below to consider and decide the bail application of the applicants expeditiously.

4. Learned A.G.A. for the State of U.P. as well as learned counsel for opposite party no.2 submit that in case the applicants are not pressing the relief as sought for by them on merits and want to surrender

before the concerned court below, they have no objection if the Court grants protection to them for a short period.

5. In view of the above, the relief as sought by the applicants in the instant application is refused.

6. However considering the aforesaid alternative prayer made by learned counsel for the applicants, it is directed that the applicants shall surrender before the concerned court below within two weeks from today and in case they apply for bail, the bail application of the applicants shall be disposed of expeditiously by the courts below in accordance with law and keeping in view the guidelines as laid down by the Apex Court in the case of **Satender Kumar Antil vs Central Bureau of Investigation and another**, reported in **2021 SCC Online SC 922**.

7. For the period of two weeks from today or till the time of surrender of the applicants before the concerned court below, whichever is earlier, they shall not be arrested in the above case.

8. With the above observations and directions, this application under Section 482 Cr.P.C. is disposed of.

Order Date :- 6.12.2023

Kashifa