

Court No. - 86

Case :- APPLICATION U/S 482 No. - 32219 of 2023

Applicant :- Nabassar Ali And Another

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

Counsel for Applicant :- Sudhir Kumar Malviya, Syed Fahim Ahmed

Counsel for Opposite Party :- G.A., Jay Prakash Pandey

Hon'ble Rajiv Gupta, J.

1. Heard learned counsel for the applicants, Shri Jay Prakash Pandey, learned counsel for the opposite party no.2, learned A.G.A. for the State and perused the record.

2. This application under Section 482 Cr.P.C. has been filed by the applicants with the prayer to quash the charge sheet dated 03.03.2023 and summoning order dated 23.06.2023 as well as entire proceeding of Case No. 11738 of 2023 (State Vs. Navassar and 6 others) arising out of Case Crime No. 355 of 2022, under Sections 147, 352, 308, 323, 504 IPC, P.S. Binawar, District- Budaun, pending in the court of 7th Additional Civil Judge (Junior Division) / Judicial Magistrate, Budaun.

3. After some argument, learned counsel for the applicants has made a statement at the bar, on instructions, that he does not want to press other prayers made in the application and states that the applicants are ready to surrender before the court below and seek their bail and that their bail application be considered and disposed of 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 (2021) 10 SCC 773**.

4. Learned AGA states that he has no objection to the aforesaid prayer made by the counsel for the applicants for not pressing the other prayers made in the instant application.

5. In view of the above, in case the applicants appear before the court below within three weeks from today and apply for bail, their bail application be considered and disposed of 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 (2021) 10 SCC 773
after hearing the parties.

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

Order Date :- 1.11.2023

RKM