Court No. - 86
Case :- APPLICATION U/S 482 No. - 32164 of 2023
Applicant :- Harshit Kumar Upadhyay
Opposite Party :- State of U.P. and Another
Counsel for Applicant :- Shailendra Kumar Tiwari,Rajan Mishra
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.180 of 2022, dated 09.11.2022, cognizance and summoning order dated 23.03.2023 as well as entire proceedings of Case No. 493 of 2023 (State Vs. Munni Tiwari and others), arising out of Case Crime No. 118 of 2022, under Sections 147, 323, 504, 506, 308, 325 IPC, Police Station Maniar, District Ballia, pending in the court of Judicial Magistrate-IInd, Ballia.

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 of.**

Order Date :- 28.10.2023/Nadim

Digitally signed by :-
NADIM ALAM
High Court of Judicature at Allahabad