

Court No. - 93

Case :- APPLICATION U/S 482 No. - 34163 of 2023

Applicant :- Jeet Narayan And Another

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

Counsel for Applicant :- Kamlesh Ratan Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri Kamlesh Ratan Yadav, learned counsel for the applicants and Sri Ramesh Kumar, learned AGA for the State.

2. The present 482 Cr.P.C. application has been filed to quash the entire proceedings of Criminal Case No.2381 of 2005, arising out of charge sheet dated 23.05.1993, State Vs. Ganga alias Ganga Ram and others, NCR No.63 of 1993, under Sections-323, 325 and 504 IPC, Police Station-Handia, District-Allahabad, and non bailable warrant dated 01.08.2023, pending in the court of learned Additional Chief Judicial Magistrate, Allahabad.

3. Contention of learned counsel for the applicants is that the applicants were released on bail in the present case on 29.09.1997. Thereafter, the applicants continuously joined the trial but because of certain reasons, they could not appear on some of the dates, therefore, NBW was issued against them. Learned counsel for the applicants further submits that they want to surrender before the court below and apply for bail, if suitable protection is given.

4. Considering the aforesaid submission, the present application is **disposed of** with a direction that if the

applicants surrender and moves an application for bail before the court below within three weeks from today, then their 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 three weeks or till disposal of the bail application, whichever is earlier, no coercive action shall be taken against the applicants.

6. It appears that trial of the present case is pending since 2005, therefore, lower court is directed to conclude the trial of the case no.2381 of 2005, as expeditiously as possible, strictly in accordance with law.

7. For ensuring the presence of accused and witnesses, court below should adopt coercive measure.

Order Date :- 18.10.2023
S.Chaurasia