

Court No. - 89

Case :- APPLICATION U/S 482 No. - 35195 of 2023

Applicant :- Vinod Kumar Gangwar And Another

Opposite Party :- State Of U.P. And 2 Others

Counsel for Applicant :- Sanjay Kumar Dwivedi, Navneet Kishor

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

1. Heard learned counsel for the applicants, Sri Ajit Kumar Singh, learned counsel for the opposite party nos. 2 & 3 and learned A.G.A. for the State.

2. This application under Section 482 Cr.P.C. has been filed by the applicants to quash the charge-sheet dated 04.09.2022, cognizance/summoning order dated 13.01.2023 as well as entire proceeding of Special Case No.250 of 2023 arising out of Case Crime No.140 of 2022 (State vs. Vinod Kumar Gangwar and others), under Section 136 Electricity Act, 2003, P.S. Kampil, District Farrukhabad, pending before the court of Special Judge, Essential Commodities Act, Farrukhabad.

3. On the matter being taken up, learned counsel for the applicants have not pressed the relief as sought by means of this application on merit and prayed for issuance of appropriate direction to the concerned Courts below to decide the bail application of the applicants expeditiously.

4. Learned A.G.A. has no objection in allowing the aforesaid prayer of the applicants.

5. Accordingly the relief as sought by the applicants through this application is refused.

6. Considering the aforesaid alternative prayer of the applicants, it is directed that applicants shall surrender before the concerned Court below within one month from today and in case apply for bail, the bail application shall be decided expeditiously by the courts below in accordance with law 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 one month from today or till the time of surrender of the applicants before the Court below, whichever is

earlier, no coercive action shall be taken against them.

8. With the aforesaid directions, this application under Section 482 Cr.P.C. stands **disposed of**.

Order Date :- 18.10.2023
SKD