

Court No. - 89

Case :- APPLICATION U/S 482 No. - 35447 of 2023

Applicant :- Subhash Gupta And 3 Others

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

Counsel for Applicant :- Surendra Mohan Mishra, Vishveshwar Mani Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

1. Heard learned counsel for the applicants 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 cognizance/summoning order dated 29.10.2021, charge sheet dated 09.10.2020, arising out of Case Crime No.256 of 2017, entire proceedings of Case No.150695 of 2021, under Sections, 419, 420, 406 I.P.C., P.S. Chauri Chaura, District Gorakhpur, pending in the court of CJM, Gorakhpur.
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 three weeks from today and in case applies 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 three weeks 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 :- 31.10.2023

Nitin Verma