

Court No. - 86

Case :- APPLICATION U/S 482 No. - 38693 of 2023

Applicant :- Chhavinath @ Chhvinath @ Chhabbu And 4 Others

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

Counsel for Applicant :- Mukesh Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

1. Supplementary Affidavit filed on behalf of the application today in Court, is taken on record.

2. Heard learned counsel for the applicants, learned A.G.A. for the State and perused the record.

3. This application under Section 482 Cr.P.C. has been filed by the applicants with the prayer to quash the charge sheet dated 18.12.2017 and cognizance order dated 15.3.2019 as well as entire proceedings of case no.703 of 2019 (State Vs. Mahendra and others) arising out of case crime no.973 of 2017, under Sections 147, 148, 504, 506 IPC, P.S. Rohaniya, District- Varanasi, pending in the court of Special Chief Judicial Magistrate, Varanasi.

4. 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 (2022) 10 SCC 51.**

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

6. 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.

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

Order Date :- 17.11.2023

SFH