

Court No. - 93

Case :- APPLICATION U/S 482 No. - 36886 of 2023

Applicant :- Priyavart @ Neetu And 2 Others

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

Counsel for Applicant :- Sandeep Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal,J.

Heard Sri Sandeep Kr. Singh, learned counsel for the applicants and Sri Arvind Kumar, learned A.G.A. for the State.

The present application has been filed for quashing of the summoning order dated 24.5.2023 passed by Judicial Magistrate Gram Court, Tehsil Baraut, District Baghpat and stay further proceeding of Complaint Case No. 393 of 2023 (*Satendra Dangi vs. Privrit and others*), u/s 323, 504 I.P.C., P.S. Baraut, District Baghpat.

Contention of learned counsel for the applicant is that he has been falsely implicated in the present case and opposite party No.2 is a hardened criminal.

On perusal of record, it appears that at this stage it cannot be said that no case is made out against the applicant and all the arguments raised before this Court, are defence of the applicant which can be raised during trial. The applicant has remedy to move a discharge application, if so advised.

It is further provided that if the applicants surrender and move an application for bail before the court below within 15 days 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*.

With the aforesaid direction, the application is **disposed of**.

Order Date :- 19.10.2023

Vandana