

Court No. - 86

Case :- APPLICATION U/S 482 No. - 37904 of 2023

Applicant :- Mohit And And 2 Others

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

Counsel for Applicant :- Irshad Ahmad

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

1. Sri Gambhir Singh, Advocate has filed vakalatnama on behalf of opposite party No. 2 today in Court, which is taken on record.
2. Heard learned counsel for the applicants, learned counsel for the opposite party No.2, learned A.G.A. for the State and perused the record.
3. This application under Section 482 Cr.P.C. has been filed with the prayer to quash the summoning order dated 29.9.2022 as well as further proceedings of Complaint Case No. 1206 of 2021 (Kamlesh Vs. Mohit and others), under Sections 323, 376, 452, 504, 506, 511 IPC, Police Station- Kaila Devi, District- Sambhal at Chandausi, pending in the court of Civil Judge (Senior Division)/Addl. Chief Judicial Magistrate, Sambhal at Chandausi.
4. After some arguments, 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 instant application and states that the applicants are ready to appear before the court below and seek their bail and that their release be considered 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. Per contra, learned AGA as well as learned counsel for the opposite party No. 2 states that he has no objection to the aforesaid prayer made by learned counsel for the applicants 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 seek bail, their release be considered 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.**
7. With the aforesaid observations, this application under Section 482 Cr.P.C. is finally disposed off.

Order Date :- 31.10.2023

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