

Court No. - 93

Case :- APPLICATION U/S 482 No. - 36784 of 2023

Applicant :- Ashish Yadav

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

Counsel for Applicant :- Amaresh Yadava, Angad Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard Sri Amresh Yadava, learned counsel for the applicant, Sri Arbind Kumar, learned A.G.A for the State and perused the record.

2. The instant application under Section 482 Cr.P.C. has been filed for quashing the entire proceeding as well as summoning order dated 02.08.2023 passed by the Chief Judicial Magistrate, Azamgarh in Complaint Case No.10090 of 2022, under Sections 376, 511 IPC, Police Station - Mubarakpur, District Azamgarh pending in the court of Chief Judicial Magistrate, Azamgarh.

3. At the very outset, learned counsel for the applicant submits that the applicant does not want to press the prayer for quashing of the proceedings. He wants to move a discharge application. He further submits that this Court may be pleased to direct the court concerned to decide the discharge application expeditiously within stipulated period of time as may be fixed by this Court.

4. In view of above, the applicants are at liberty to file an application of discharge before the court concerned and in case, such an application is been filed within 15 days from today, the same shall be decided expeditiously, strictly in accordance with law.

5. It is further provided that in case, the applicant surrenders before the Court concerned and applies for bail within 15 days from today, his bail application shall be considered and decided expeditiously by the court below, in view of law laid down by the Apex Court in the case of **Satender Kumar Antil vs Central Bureau of Investigation and another, 2021 SCC Online SC 922.**

6. For a period of three weeks from today or till disposal of discharge application or bail application of applicant, whichever is earlier, no coercive action shall be taken against the applicant in the aforesaid case.

Order Date :- 12.10.2023

A.Kr.