

Court No. - 86

Case :- APPLICATION U/S 482 No. - 37155 of 2023

Applicant :- Vikas Kumar

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

Counsel for Applicant :- Safal Pandey

Counsel for Opposite Party :- G.A.,Pradeep Kumar

Hon'ble Rajiv Gupta,J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State, Sri Pradeep Kumar, learned counsel for O.P. No. 2 and perused the record.

2. This application under Section 482 Cr.P.C. has been filed with the prayer to quash the order dated 16.03.2023 passed by Additional Sessions Judge/ Special Judge (POCSO), Amroha on protest petition rejecting the final report No. 1402 of 2022 in Case Crime No. 13 of 2022, under sections 376-D, 354, 452, 504, 506 IPC and section 7/8 POCSO Act, Police Station Mahila Thana, District Amroha.

3. After some arguments, learned counsel for the applicant 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 applicant is ready to appear before the court below and seek his bail and that his 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.**

4. Per contra, learned AGA states that he has no objection to the aforesaid prayer made by learned counsel for the applicant for not pressing the other prayers made in the instant application.

5. In view of the above, in case the applicant appears before the court below within three weeks from today and seeks bail, his 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.**

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

Order Date :- 29.11.2023

RPD