

Court No. - 89

Case :- APPLICATION U/S 482 No. - 37064 of 2023

Applicant :- Ravindra Kumar @ Lallan Pandey And Another

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

Counsel for Applicant :- Surendra Kumar Chaubey

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicants, learned Additional Government Advocate for the State of U.P./opposite party no.1 and perused the record.

2. This application under Section 482 Cr.P.C. has been filed by the applicants to quash the impugned order dated 31.05.2022 passed by CJM, Varanasi in Case No.1974 of 1987, under Sections 302, 201 I.P.C., P.S. Baragaon, District Varanasi further to direct CJM, Varanasi to decide the application dated 30.05.1997 filed by applicants in view of direction issued by this Hon'ble Court dated 07.04.1997.

3. At the outset learned counsel for the applicants gave up his challenge to the aforesaid impugned order dated 31.05.2022 by which NBW has been issued against the applicants and confined his submission requesting to grant some protection to the applicants to surrender before the concerned court below. The learned counsel for the applicants further stated at the Bar that he is not pressing any other prayer made in this application on merits and prayed that a direction may be issued to the concerned courts below to consider and decide the bail application of the applicants expeditiously.

4. Learned A.G.A. for the State of U.P. submits that in case the applicants is not pressing the relief as sought for by them on merits and wants to surrender before the concerned court below, he has no objection if the Court grants protection to them for a short period.

5. In view of the above, the relief as sought by the applicants in the instant application is refused.

6. However considering the aforesaid alternative prayer made by learned counsel for the applicants, it is directed that the applicants shall surrender before the concerned court below within two weeks

from today and in case they apply for bail, the bail application of the applicant shall be disposed of expeditiously by the courts below in accordance with law.

7. For the period of two weeks from today or till the time of surrender of the applicant before the concerned Court below, whichever is earlier, non-bailable warrant shall be kept in abeyance.

8. With the above observations and directions, this application under Section 482 Cr.P.C. is **disposed of**.

Order Date :- 5.12.2023

Nitin Verma