

Court No. - 89

Case :- APPLICATION U/S 482 No. - 37137 of 2023

Applicant :- Satish

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

Counsel for Applicant :- Krishna Kant Dubey, Santosh Kumar Dubey

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

1. Heard learned counsel for the applicant; learned A.G.A. for the State and perused the record.
2. The present 482 Cr.P.C. application has been filed to quash the summoning order dated 19.04.2023 as well as entire proceedings of S.T. No.680 of 2022 (State Vs. Vikas Yadav) arising out of Case Crime No. 108 of 2022, under Sections 304 and 323 I.P.C., P.S. Pilkhua, District Hapur.
3. Counsel for the applicant submits that applicant was named in the F.I.R. but charge sheet was not submitted against him and on application under Section 319 Cr.P.C., applicant has been summoned and non bailable warrant has been issued against the applicant. The applicant has prayed that some protection may be granted to enable the applicant to surrender before the court concerned.
4. Learned A.G.A. has no objection in allowing the aforesaid prayer of the applicant.
5. Accordingly the relief as sought by the applicant through this application is refused.
6. Considering the aforesaid alternative prayer of the applicant, it is directed that applicant shall surrender before the concerned Court below within three weeks from today and in case applies for bail, the bail application shall be decided expeditiously by the courts below in accordance with law.
7. For the period of three weeks from today or till the time of surrender of the applicant before the Court below, whichever is earlier, no coercive action shall be taken against him.
8. With the aforesaid directions, this application under Section 482 Cr.P.C. stands disposed of.

Order Date :- 6.12.2023

Meenu Singh