

Court No. - 4

Case :- APPLICATION U/S 482 No. - 38794 of 2023

Applicant :- Gulab Singh And Another

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

Counsel for Applicant :- Pankaj Sharma, Prashant Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Prakash Padia, J.

1. Heard learned counsel for the applicants and learned A.G.A for the State-respondents.

2. The applicants have preferred the present Application under Section 482 of Code of Criminal Procedure, 1973 for quashing the entire proceedings of complaint case No. 18 of 2019 (Chandrapal Balimiki vs. Jai Singh & others) under Section 323, 504, 420 I.P.C. and 3(1)(dh) S.C./S.T. (P.A.) Act, Police Station Hasanpur, District Amroha, pending in the court of Additional Sessions Judge/ Special Judge (S.C./S.T. Act), Amroha as well as summoning order dated 11.04.2022 passed by court below in the said compliant case. With the further prayer to stay the proceedings of the aforesaid case.

3. After some arguments, learned counsel for the applicants has not pressed the relief as sought by means of this application on merits, prayed for issuance of directions to the court below to decide the bail application of the applicants and prayed that applicants be permitted to file bail application before the court below.

4. This prayer has not been opposed by the learned A.G.A.

5. Heard learned counsel for the parties present and perused the record.

6. Considering the aforesaid alternative prayer of the applicants, it is directed that applicants shall surrender before the concerned Court below within a period of **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 laid down by the Apex Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and another, reported in 2021**

SCC OnLine SC 922.

7. For the period of **three weeks** from today or till the time of surrender of the applicants before the Court below, whichever is earlier, no coercive action shall be taken against them.

8. With the aforesaid directions, this application under Section 482 Cr.P.C. stands disposed of.

Order Date :- 18.10.2023

Swati