

Court No. - 91

Case :- APPLICATION U/S 482 No. - 39749 of 2023

Applicant :- Virendra Arya

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

Counsel for Applicant :- Amrendra Pratap Singh, Shashi Prabha Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Gajendra Kumar, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.
2. This application under Section 482 Cr.P.C. has been filed by the applicant with the prayer to quash the entire criminal proceeding of Complaint Case No.2321 of 2019 (Laxmi Shankar Yadav Vs. Virendra Arya) under section 138 of Negotiable Instruments Act, 1881, as well as impugned summoning order dated 21.01.2020 passed by the learned Court of Chief Judicial Magistrate, Chandauli and further prayer to recall the Non Bailable Warrant and quash the entire proceedings initiated as against applicant under section 82-83 Cr.P.C.
3. After arguing the matter at some length, learned counsel for the applicant prays for withdrawal of this application with liberty to the applicants to file bail application before the court of competent jurisdiction.
4. Learned A.G.A. has no objection to such request.
5. In view of the above, the instant application is disposed of as withdrawn with liberty to the applicant to appear before court concerned and file appropriate application for bail within three weeks, which shall be decided in the light of the judgment of the Hon'ble Supreme Court in **Satender Kumar Antil v. Central Bureau of Investigation and another, Special Leave to Appeal (Crl.) No (s) 5191 of 2021, decided on 07.10.2021.**
6. For a period of three weeks, no coercive action shall be taken against the applicant.

Order Date :- 30.10.2023

SFH