

Court No. - 89

Case :- APPLICATION U/S 482 No. - 39702 of 2023

Applicant :- Doodhnath Jaiswal And Another

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

Counsel for Applicant :- Vishveshwar Mani Tripathi,Vikas Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State.
2. The present 482 Cr.P.C. application has been filed to quash the charge sheet dated 14.09.2023; cognizance/summoning order dated 26.09.2023 as well as entire proceedings of Case No.7669 of 2023 (State Vs. Doodhnath and Another) arising out of Case Crime No.0297 of 2023, under Sections 354 B, 323, 504, 506 I.P.C. against the applicant no. 1 and under Sections 323, 504, 506 I.P.C. against the applicant no. 2, P.S. Hata, District Kushinagar.
3. On the matter being taken up, learned counsel for the applicants has not pressed the relief as sought by means of this application on merit and prayed for issuance of appropriate direction to the concerned Courts below to decide the bail application of the applicants expeditiously.
4. Learned A.G.A. has no objection in allowing the aforesaid prayer of the applicants.
5. Accordingly the relief as sought by the applicants through this application is refused.
6. Considering the aforesaid alternative prayer of the applicant, it is directed that applicants shall surrender before the concerned Court below within three weeks from today and in case apply 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 :- 28.10.2023

Meenu Singh