

Court No. - 93

Case :- APPLICATION U/S 482 No. - 39939 of 2023

Applicant :- Viresh Kumar @ Biresh Pal Singh And 2 Others

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

Counsel for Applicant :- Mohd. Ayub

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri Mohd. Ayub, learned counsel for the applicants and learned A.G.A. for the State.

2. The instant application has been moved on behalf of the applicants to quash the impugned charge sheet no.74/2011 dated 01.05.2011 along with entire proceedings of Criminal Case No.483/2011 (State Vs. Viresh Kumar and others), arising out of Case Crime No.126 of 2011, under Section 498-A IPC and Section 3/4 D.P. Act, Police Station Dibai, District Bulandshahr, pending before Additional Chief Judicial Magistrate, Anoop Shahr, District Bulandshahr.

3. At the very outset, learned counsel for the applicants submits that the applicants do not want to pray for quashing the impugned proceedings and they want to surrender before the court below to seek bail. It is further requested by learned counsel for the applicants that the court below may be directed to consider the bail applications of the applicants, expeditiously, considering the age of applicant nos.2 and 3.

4. Considering the aforesaid submissions, it is provided that if applicants appear before the court below within a period of three weeks from the date of production of certified copy of this order and apply for bail, the same shall be considered in view of the law laid down by the Apex Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and another reported in (AIR 2022 SC 3386)** and for a period of four weeks or till disposal of bail application of the applicants, whichever is earlier, no coercive action shall be taken against the applicants in Criminal Case No.483/2011 (State Vs. Viresh Kumar and others), arising out of Case Crime No.126 of 2011, under Section 498-A IPC and Section 3/4 D.P. Act, Police Station Dibai, District Bulandshahr, pending before Additional Chief Judicial Magistrate, Anoop Shahr,

District Bulandshahr.

5. With the aforesaid direction, the Application U/S 482 is **disposed of**.

Order Date :- 7.11.2023

Atul