

Court No. - 93

Case :- APPLICATION U/S 482 No. - 39945 of 2023

Applicant :- Manoj Singhal And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Ashok Kumar Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri Ashok Kumar Tripathi, learned counsel for the applicants and Sri Sunil Kumar Kushwaha, learned AGA for the State.

2. Present application under Section 482 Cr.P.C. has been filed for quashing the entire Complaint Case No.210 of 2023 as well as impugned summoning order dated 29.04.2023 (Rohit Kumar v. Dolly and others), under Sections 323, 504, 506, 356, 406, 420, 468, 120-B I.P.C. and Section 3(2)5A, 3(1)Da, 3(1) Dha SC/ST Act, Police Station Kotwali Dehat, District Mirzapur, pending in the Court of Special Judge SC/ST Act, Mirzapur.

3. At the very outset, learned counsel for the applicants submits that applicants do not want to press the prayer for quashing the proceeding of impugned complaint case and they want to surrender and apply for bail, if direction is issued for consideration of their bail application expeditiously.

4. Considering the aforesaid submission, it is provided that if the applicants appeared before the court below within a period of three weeks from today and apply for bail, then

their bail application shall be considered in the light of the law laid down by the Apex Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation**, reported in **2021 (10) SCC 773**.

5. It is further provided that for a period of four weeks or till the disposal of the bail application of the applicants whichever is earlier, no coercive action shall be taken against the applicants in pursuance of Complaint Case No.210 of 2023 as well as impugned summoning order dated 29.04.2023 (Rohit Kumar v. Dolly and others), under Sections 323, 504, 506, 356, 406, 420, 468, 120-B I.P.C. and Section 3(2)5A, 3(1)Da, 3(1) Dha SC/ST Act, Police Station Kotwali Dehat, District Mirzapur, pending in the Court of Special Chief Judicial Magistrate, Kanpur Nagar.

6. It is made clear that no further time will be granted if the applicants failed to appear before the court below.

7. With the aforesaid observations, present application is **disposed of**.

8. Applicant is permitted to correct the name of District mentioned in the application during the course of the day.

Order Date :- 31.10.2023

A.N. Mishra