Court No. - 86

Case :- APPLICATION U/S 482 No. - 40244 of 2023

Applicant :- Sunita And 2 Others
Opposite Party :- State of U.P. and Another
Counsel for Applicant :- Shashi Prakash Misra
Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

1. Heard learned counsel for the applicants, learned A.G.A. and perused the record.
2. This application u/s 482 Cr.P.C. has been filed by the applicants with the prayer to quash the summoning order /cognizance order dated 28.6.2022 passed by Judicial Magistrate/F.T.C.-I, Sant Kabir Nagar, charge sheet dt. 6.6.2022, case no. 10926 of 2022, arising out of case crime no. 0138 of 2022, State Vs. Sunil and others, u/s 147, 148, 149, 323, 504, 506 427, 452 I.P.C. and section 7 of criminal Law Amendment Act., P.S. Dudhara, District Sant Kabir Nagar, pending in the court of Judicial Magistrate, Sant Kabir Nagar.

3. Learned counsel for the applicants has made a statement at the bar, on instructions, that he does not want to press other prayers made in the application and states that the applicants are ready to surrender before the court below and seek their bail and that their release be considered in view of law laid down by Hon'ble Apex Court in the case of Satender Kumar Antil Vs. Central Bureau of Investigation and another reported in (2022) 10 SCC 51.

4. Per contra, learned A.G.A. has submitted that he has no objection to the prayer made by learned counsel for applicants for not pressing the other prayers made in the application.

5. In view of the above, in case the applicants appear before the court below within three weeks from today and seek bail, their release be considered in view of law laid down by Hon'ble Apex Court in the case of Satender Kumar Antil Vs. Central Bureau of Investigation and another reported in (2022) 10 SCC 51.

6. With the aforesaid observations, this application filed u/s 482 Cr.P.C. is finally disposed of.

Order Date :- 1.11.2023
R

Digitally signed by :-
RAM ASARE MORYA
High Court of Judicature at Allahabad