Court No. - 86

Case :- APPLICATION U/S 482 No. - 40183 of 2023

Applicant :- Surendra Tiwari
Opposite Party :- State of U.P. and Another
Counsel for Applicant :- Chandra Dutt
Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

1. Heard learned counsel for the applicant, learned A.G.A. and perused the record.

2. This application u/s 482 Cr.P.C. has been filed by the applicant with the prayer to quash the summoning order dated 14.8.2023 passed by Metropolitan Magistrate, Court No. 9, Kanpur Nagar in complaint No. 5284 of 2012, Ram Babu Vs. Kamta Prasad and others, under section 452, 323, 504, 506 I.P.C., P.S. Babupurwa, District Kanpur Nagar. .

3. Learned counsel for the applicant 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 applicant is ready to surrender before the court below and seek his bail and that his 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 applicant for not pressing the other prayers made in the application.

5. In view of the above, in case the applicant appears before the court below within three weeks from today and seeks bail, his 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
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Digitally signed by :-
RAM ASARE MORYA
High Court of Judicature at Allahabad