

Court No. - 4

Case :- APPLICATION U/S 482 No. - 40408 of 2023

Applicant :- Ash Mohammad And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Shams Uz Zaman

Counsel for Opposite Party :- G.A.

Hon'ble Prakash Padia,J.

1. Heard learned counsel for the applicants and learned A.G.A for the State-respondents.
2. The applicants have preferred the present Application under Section 482 of Code of Criminal Procedure, 1973 for quashing the entire proceedings in Case Crime No. 224 of 2014, under Section 382 IP.C., Police Station Rajepur, District Farrukhabad and also N.B.W. order dated 11.03.2022, pending in the Court of C.J.M., Farrukhabad, District Farrukhabad with a further prayer to stay the proceedings of the aforesaid case.
3. After some arguments, learned counsel for the applicants has not pressed the relief as sought by means of this application on merits, prayed for issuance of directions to the court below to decide the bail application of the applicant and prayed that applicant be permitted to file bail application before the court below.
4. This prayer has not been opposed by the learned A.G.A.
5. Heard learned counsel for the parties present and perused the record.
6. Considering the aforesaid alternative prayer of the applicants, it is directed that applicants shall surrender before the concerned Court below within a period of three weeks from today and in case applies 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 :- 2.11.2023

T.S.