

Court No. - 89

Case :- APPLICATION U/S 482 No. - 41047 of 2023

Applicant :- Musibat And 4 Others

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

Counsel for Applicant :- Neeraj Verma, Swatantra Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

1. Vakalatnama filed today by S/Sri Kartikey Pandey & Avinash Kumar Chaubey, Advocates, on behalf of opposite party no.2, is taken on record.
2. Heard learned counsel for the applicants, Sri Kartikey Pandey, learned counsel for the opposite party no.2 and learned A.G.A. for the State.
3. This application under Section 482 Cr.P.C. has been filed by the applicants to quash the impugned charge-sheet No.01 of 2023 dated 26.03.2023, summoning order dated 07.06.2023 and charge-sheet no.02 of 2023 dated 06.08.2023, summoning order dated 20.09.2023 in Criminal Case No.332 of 2023 arising out of Case Crime No.439 of 2022 (State vs. Musibat & others), under Sections 147, 504, 323, 325, 427, 356, 506, 308 I.P.C. P.S. Haraiya, District Basti pending in the court of Additional Chief Judicial Magistrate-First, Court no.,9, Basti.
4. On the matter being taken up, learned counsel for the applicants have not pressed the relief as sought by means of this application on merit and prayed for issuance of appropriate direction to the concerned Courts below to decide the bail application of the applicants expeditiously.
5. Learned A.G.A. has no objection in allowing the aforesaid prayer of the applicants.
6. Accordingly the relief as sought by the applicants through this application is refused.
7. Considering the aforesaid alternative prayer of the applicants, it is directed that applicants shall surrender before the concerned Court below within three weeks from today and in case apply 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.
8. 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.

9. With the aforesaid directions, this application under Section 482 Cr.P.C. stands **disposed of.**

Order Date :- 7.11.2023
SKD