

Court No. - 73

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 12246 of 2023

Applicant :- Smt. Rachana And 6 Others

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

Counsel for Applicant :- Alok Kumar Srivastava, Yogesh Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Nalin Kumar Srivastava, J.

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

2. This application has been moved on behalf of the applicants- **1. Smt. Rachana, 2. Padam Singh, 3. Ved Prakash, 4. Smt. Shashibala, 5. Bishan Singh, 6. Sandeep 7. Ganga Singh** seeking anticipatory bail in Complaint Case No. 2617 of 2023, under Sections 452, 323, 504, 506, 384 IPC, Police Station- Modingar, District- Ghaziabad.

3. Process under Section 82 Cr.P.C. was issued against the present applicants by the Court concerned vide order dated 24.8.2023, however, a transfer petition no. 797 of 2023 was moved by the applicants before the Hon'ble Apex Court for transfer of this case to any other state and Hon'ble Apex Court vide order dated 30.10.2023 directed that further proceedings of complaint case no. 2617 of 2023 titled as Joginder Vs. Rachna & Ors pending before the Court of Additional Chief Judicial Magistrate, Court No. 5, Ghaziabad remain stayed in the meantime.

4. Now the proceedings of this case wherein punitive process has been issued by the applicants are already stayed under the orders of Hon'ble Apex Court. The applicants have no apprehension of arrest as of now, hence, no need to proceed further in the present anticipatory bail.

5. The application is **disposed of** accordingly.

6. However, a liberty is granted to the applicants that in the change of circumstances, they shall be liberty to move fresh anticipatory bail application as per law.

Order Date :- 1.12.2023//Fhd