Court No. - 86

Case :- APPLICATION U/S 482 No. - 41452 of 2023

Applicant :- Khemchandra Babani @ Kalu
Opposite Party :- State Of U.P. And Another
Counsel for Applicant :- Anuj Bajpai,Sanjay Kumar Mishra
Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

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

2. This application under Section 482 Cr.P.C. has been filed with the prayer to quash charge-sheet dated 23.06.2021 and summoning order dated 30.11.2022 as well as entire proceedings of Case No.15756 of 2022, arising out of Case Crime No.145 of 2019, under Section 420 IPC and Section 60/63 of Excise Act, Police Station Jagdishpura, District Agra, pending in the court of Additional Civil Judge (J.D.), Court No. 4, Agra.

3. After some arguments, 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 instant application and states that the applicant is ready to appear 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 AGA states that he has no objection to the aforesaid prayer made by learned counsel for the applicant for not pressing the other prayers made in the instant 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 under Section 482 Cr.P.C. is finally **disposed off.**

Order Date :- 29.11.2023
Subham

Digitally signed by :-
SUBHAM KUSHWAHA
High Court of Judicature at Allahabad