

**Court No. - 86**

**Case :-** APPLICATION U/S 482 No. - 41627 of 2023

**Applicant :-** Umesh Chandra Sharma

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

**Counsel for Applicant :-** Apul Misra

**Counsel for Opposite Party :-** G.A.

**Hon'ble Rajiv Gupta,J.**

1. Sri Vipul Shukla and Sri Syed Mohd. Abbas Ali,, Advocate has filed vakalatnama on behalf of opposite party No. 2 today in Court, which is taken on record.

2. Heard learned counsel for the applicant, learned counsel for opposite party No. 2, learned A.G.A. for the State and perused the record.

3. This application under Section 482 Cr.P.C. has been filed with the prayer to quash the summoning order dated 16.9.2022 and order dated 24.8.2023 as well as entire proceedings of Complaint Case No. 337 of 2022, under Sections 307, 323, 324, 325, 504, 506 IPC, Police Station- Banda, District- Shahjahanpur, pending in the court of Addl. Chief Judicial Magistrate, Court No. 17, Shahjahanpur.

4. 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.**

5. Per contra, learned AGA as well as learned counsel for opposite party No. 2 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.

6. 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.**

7. With the aforesaid observations, this application under Section 482 Cr.P.C. is finally disposed off.

**Order Date :-** 29.11.2023

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