

Court No. - 93

Case :- APPLICATION U/S 482 No. - 42031 of 2022

Applicant :- Amit Mishra And 2 Others

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

Counsel for Applicant :- Anand Kumar Srivastava

Counsel for Opposite Party :- G.A.,Brijesh Tiwari

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri Anand Kumar Srivastava, learned counsel for the applicants, Sri Brijesh Tiwari, learned counsel for opposite party no.2 and learned A.G.A. for the State.

2. The instant application has been moved on behalf of the applicants to quash the cognizance order dated 26.08.2022 passed by Metropolitan Magistrate-II, Kanpur Nagar in Case No.189443 of 2022 (State Vs. Amit Mishra and others), arising out of Case Crime No.288 of 2020, under Sections 498-A, 323, 354 IPC and Section 3/4 D.P. Act, Police Station Kakadeo, District Kanpur Nagar.

3. At the very outset, learned counsel for the applicants submits that the applicants do not want to pray for quashing the impugned proceedings and they want to surrender before the court below to seek bail. It is further requested by learned counsel for the applicants that the court below may be directed to consider the bail applications of the applicants, expeditiously.

4. Considering the aforesaid submissions, it is provided that if applicants appear before the court below within a period of three weeks from the date of production of certified copy of this order and apply for bail, the same shall be considered in view of the law laid down by the Apex Court in the case of ***Satender Kumar Antil Vs. Central Bureau of Investigation and another*** reported in ***(AIR 2022 SC 3386)*** and for a period of four weeks or till disposal of bail application of the applicants, whichever is earlier, no coercive action shall be taken against the applicants in Case No.189443 of 2022 (State Vs. Amit Mishra and others), arising out of Case Crime No.288 of 2020, under Sections 498-A, 323, 354 IPC and Section 3/4 D.P. Act, Police Station Kakadeo, District Kanpur Nagar.

5. With the aforesaid direction, the Application U/S 482 is **disposed of.**

Order Date :- 2.11.2023/Atul