

Court No. - 5

Case :- APPLICATION U/S 482 No. - 42048 of 2023

Applicant :- Sameer

Opposite Party :- State Of U.P. .And Another

Counsel for Applicant :- Mohd. Kamar Shah Alam

Counsel for Opposite Party :- G.A.

Hon'ble Piyush Agrawal,J.

Heard learned counsel for the applicant and learned AGA for the State.

This application has been filed for quashing of the charge-sheet dated 31.01.2022, Cognizance order/Summoning order dated 03.06.2022 as well as entire proceeding of Criminal Case No.5419 of 2022 (State Vs. Sameer), arising out of Case Crime No.256 of 2021, under Sections 406 & 420 I.P.C., Police Station- Civil Lines, District- Rampur.

On the matter being taken up, learned counsel for the applicant has not pressed the relief as sought by means of this application on merit and prayed for issuance of appropriate direction to the concerned Court below to decide the bail application of the applicant expeditiously.

Learned A.G.A. has no objection in allowing the aforesaid prayer of the applicant.

Accordingly, the relief as sought by the applicant through this application is refused.

Considering the aforesaid alternative prayer of the applicant, it is directed that applicant shall surrender before the concerned Court below within two 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 On Line SC 922.

For the period of four weeks from today or till the time of

surrender of the applicant before the Court below, whichever is earlier, no coercive action shall be taken against him in connection with Case Crime No.256 of 2021, under Sections 406 & 420 I.P.C., Police Station- Civil Lines, District- Rampur.

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

Order Date :- 16.11.2023

Pravesh Mishra