

Court No. - 82

Case :- CRIMINAL APPEAL No. - 11748 of 2023

Appellant :- Naeim And 4 Others

Respondent :- State of U.P. and Another

Counsel for Appellant :- Rajendra Kumar

Counsel for Respondent :- G.A.

Hon'ble Ms. Nand Prabha Shukla,J.

Sri Sharad Srivastava, learned Advocate has filed his power in the Registry on 02.12.2023, but the same is not on record.

Office is directed to trace out the same and place it on record.

Heard learned counsel for the appellants and learned A.G.A for the State.

This criminal appeal has been preferred under Section 14-A (1) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'SC/ST Act') for quashing of the charge sheet No. 181 of 2023 dated 09.09.2023, cognizance/summoning order dated 02.11.2023 as well as entire proceeding of Special Sessions Trial No. 983 of 2023 (State vs. Naeim and others) arising out of Case Crime No. 196 of 2023, under Sections 147, 323, 504, 506 I.P.C. and Section 3(2)5-A of SC/ST Act, Police Station-Jamaniya, District-Ghazipur.

Learned counsel for appellants submits that he is not pressing the appeal on merits and the present appeal may be disposed of finally with the direction to the court below that in case appellants surrender before the court below and apply for bail, their bail application may be considered and decided expeditiously in accordance with law, including the law laid down in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and another, 2022 SCC OnLine SC 825.**

Learned A.G.A. has opposed the appeal.

In view of the aforesaid, the instant criminal appeal is finally disposed of with direction to the court below that in case the appellants surrender before the court below within a period of three weeks from today and apply for bail, their bail application

shall be considered and decided expeditiously in accordance with settled law.

The instant appeal is **disposed of** accordingly.

Order Date :- 4.12.2023

Shivani