

Court No. - 11

Case :- APPLICATION U/S 482 No. - 3310 of 2010

Applicant :- Shikhar Chand Jain

Opposite Party :- State Of U.P. Thru. Principal Secy. Home Deptt. And Anohter

Counsel for Applicant :- Rishad Murtaza, Alok Singh, Mohd. Altaf Mansoor

Counsel for Opposite Party :- Govt. Advocate, Awadhesh Kumar Pandey, Sudeep Kumar

Hon'ble Saurabh Lavania, J.

1. Heard.

2. The present petition under Section 482 Cr.P.C has been filed by the applicant with the prayer to quash the proceedings of Criminal Case No. 748/2009 (State Vs. Anjali Srivastava and Others) under Sections 282/304-A/207/504/506 I.P.C. pending before the Court of Chief Judicial Magistrate, Court No. 16, Sultanpur.

3. After arguing at some length, learned counsel for the applicant has submitted that liberty may be given to the applicant for moving a discharge application before the court below and the same may be decided expeditiously.

4. It is further prayed that liberty may also be given to the applicant to file bail application before the trial court which may be decided in view of law laid down by Hon'ble Supreme Court in order dated 7.10.2021 passed in Petition for **Special Leave to Appeal (Cri) No.5191 of 2021 Satender Kumar Antil versus Central Bureau of Investigation and another.**

5. Learned counsel for side opposite has no objection to the prayer made by learned counsel for the applicant.

6. As prayed, liberty is granted to the applicant to move discharge application before the court below and the same shall be decided expeditiously in accordance with law.

7. As far as prayer made by learned counsel for the applicant to grant liberty to the applicant to file bail application and the same may be decided in view of law laid down in the case of **Satender Kumar Antil (supra)**, liberty is given to the applicant to move bail application before the trial court and the same shall be decided in view of law laid down in the case of **Satender Kumar Antil (supra)**.

8. With the aforesaid observations, the present petition is disposed of.

Order Date :- 6.12.2023

Mohit Singh