

Court No. - 11

Case :- APPLICATION U/S 482 No. - 1904 of 2020

Applicant :- Shahid Muneer Siddiqui @ Mohd. Shahid

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

Counsel for Applicant :- Vivek Kumar Verma

Counsel for Opposite Party :- Govt. Advocate

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the applicant, learned A.G.A. for the State of U.P. and perused the record.

The present petition under Section 482 Cr.P.C has been filed by the applicant for the following main relief:-

"Wherefore, it is most respectfully prayed that this Hon'ble High Court may kindly be pleased to quash the entire proceeding of SC/ST No.198/18, State Vs Shahid Muneer Siddiqui, arising out of Case Crime no. 189/14 under section- 504, 506 I.P.C & Section-3(1)(x) The Scheduled Caste & Schedule Tribes (Prevention of Atrocities) Act, 1989 (herein after referred to as 'SC/ST Act' for brevity), Police Station- Alapur, District-Ambedkar Nagar, is pending, before the learned Court of Special Judge, SC/ST Act, Ambedkar Nagar, in the interest of justice.

It is further prayed that this Hon'ble High Court may kindly be pleased to stay the operation and implementation of N.B.W. order dated 22.06.2020, passed by the learned Special Judge SC/ST Act, Ambedkar Nagar, contained as Annexure No.4 to this petition and also not take coercive action against the petitioner, during the pendency of the present petition under section 482 Cr.P.C., otherwise the petitioner would suffer the irreparable loss."

After arguing at some length, learned counsel for the applicant has submitted that the present application be disposed of finally with liberty 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.***

Learned AGA has no objection to the prayer made by learned counsel for the applicant.

Accordingly, the present application is ***disposed of finally*** with liberty to the applicant to move bail application before the trial court and, if such an application is preferred, the same shall be decided in view of law laid down in the case of ***Satender Kumar Antil versus Central Bureau of Investigation and another (supra).***

Order Date :- 21.12.2023

Jyoti/-