

Court No. - 9

Case :- APPLICATION U/S 482 No. - 6059 of 2023

Applicant :- Shriram Kotedar And 2 Others

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Home, Lucknow And Another

Counsel for Applicant :- Alok Kr. Misra, Surjeet Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Kumar Singh, J.

1. Heard learned counsel for the petitioners as well as learned Additional Government Advocate, representing respondent no. 1-State, and gone through the record.

2. By way of this petition under Section 482 CrPC, the petitioners have prayed for quashing of the order dated 27.04.2023 passed by the learned Chief Judicial Magistrate, Lucknow in Case No.41632 of 2023 (State Vs. Sushil Rawat and others), arising out of Crime/FIR No.0412 of 2020, lodged at Police Station PGI, District Lucknow whereby cognizance has been taken upon filing of the charge-sheet and petitioner nos. 1 and 2 have been summoned under Sections 504, 506 and 498-A IPC read with Section 3/4 Dowry Prohibition Act, while petitioner no. 3 has been summoned under Sections 504, 506 and 498-A IPC. The petitioners have also prayed for stay of further proceedings of Case No.41632 of 2023 (State Vs. Sushil Rawat and others) relating to them.

3. Learned counsel for the petitioners submits that the petitioners want to surrender and apply for regular bail. Only prayer is that while considering the bail application of the petitioners, trial Court should take into consideration the order dated 07.10.2021 read with judgment dated 11.07.2022 passed by the Supreme Court in *Satender Kumar Antil vs Central Bureau of Investigation & Ors: SLP(Crl) No.5191 of 2021*.

4. Considering the aforesaid submission, present petition is **disposed of** with a liberty to the petitioners to surrender before the trial Court within a period of **10 days from today**, and apply for regular bail, and if they do so, the trial Court is directed to consider the bail application of the petitioners in accordance with law, also taking into account the order passed by the Supreme Court in the case of *Satender Kumar Antil* (supra). After obtaining regular bail, the petitioners, if so advised, may file application for discharge and, if they do so, their discharge application shall be decided expeditiously, in accordance with law.

[D.K. SINGH, J.]

Order Date :- 23.6.2023 MVS/-