

Court No. - 11

Case :- APPLICATION U/S 482 No. - 655 of 2016

Applicant :- M/S Sahu Medical Store And Another

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

Counsel for Applicant :- Manoj Sahu, Sonal Pandey

Counsel for Opposite Party :- Govt. Advocate

Hon'ble Saurabh Lavania, J.

1. Heard learned counsel for the applicants and learned AGA for the State as well as perused the record.
2. The present petition under Section 482 Cr.P.C has been filed by the applicant with the prayer to quash/set-aside the complaint and entire proceedings of Case No. 265/2021 under Section 18/27 The Drugs and Cosmetics Act relating to Police Station Gilaula, District-Shrawasti (State Vs. Kamlesh Kumar Sahu) pending in the Court of Apar Sessions Judge/Special Judge (POCSO Act) District-Shrawasti.
3. After arguing at some length, learned counsel for the applicants 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 AGA has no objection to the prayer made by learned counsel for the applicants.
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 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 :- 30.11.2023

Mohit Singh