Court No. - 28

Case :- APPLICATION U/S 482 No. - 9908 of 2023

Applicant :- Jawed Akhtar Khan And Another
Opposite Party :- State Of U.P Thru. Addil. Prin. Secy. Home Civil Secrt. Lko. And Another
Counsel for Applicant :- Diwakar Prasad Sharma,Jeya Rai
Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh,J.

Heard learned counsel for the applicants, Shri Sushil Kumar Pandey, learned AGA for the State and perused the record.

Instant application under Section 482 Cr.P.C has been filed to quash the chargesheet dated 27-12-2022, arising out of F.I.R. No. 0321 of 2022, dated 04-11-2022, under sections 341, 354-A,504, 506 of I.P.C. as well as summoning order dated 07-04-2023 issued against the applicants.

Learned counsel appearing for the applicants submits that the applicants are innocent and were never involved in committing the offence as has been mentioned in the first information report. He added that due to enmity, their names have been planted in the first information report and thereafter they have been chargesheeted. He next added that due to unavoidable circumstances, they could not appear before the court below.

At this stage, learned counsel for the applicants submits that he does not want to press the application and seeks liberty to file bail application before the learned trial court which may be decided in view of law laid by Hon'ble Supreme Court's judgment in the case of **Satender Kumar Antil versus Central Bureau of Investigation and another (2022)10 SCC 51.**

Learned A.G.A. has no objection to the prayer made by learned counsel for the applicants.

On due consideration to the submissions of learned counsel for the parties', it is provided that in case, the applicants appear before the trial court within two weeks from today and file bail

application, the same shall be decided expeditiously in view of law laid down in the case of **Satender Kumar Antil (supra)**.

The application is **disposed of** accordingly.

Order Date :- 11.10.2023
AKS

Digitally signed by :-
ANUJ KRISHNA SRIVASTAVA
High Court of Judicature at Allahabad,
Lucknow Bench