

Court No. - 28

Case :- APPLICATION U/S 482 No. - 10132 of 2023

Applicant :- Vishwanath Alias Vineet Gaud And Others

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko.
And Another

Counsel for Applicant :- Niyaj Ahmad

Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh,J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State as well as perused the record.

2. Instant application under Section 482 Cr.P.C has been filed with prayer to quash the entire proceedings of Criminal Case No.17302 of 2022 (State Versus Vishwanath alias Vineet Gaud and other) arising out of Case Crime No.7 of 2022, under sections- 147, 504, 323, 354, 452, 427 and 506 I.P.C., relating to Police Station- Baskhari, District- Ambedkar Nagar, pending in the Court of learned Chief Judicial Magistrate, Ambedkar Nagar, as well as impugned chargesheet no. 52/2022, dated 4.4.2022, under sections- 147, 504, 323, 354, 452, 427 and 506 I.P.C. in aforesaid case crime number, and impugned cognizance/ summoning order dated 20.12.2022, passed by the learned Chief Judicial Magistrate, Ambedkar Nagar

3. Learned counsel for the applicants submits that the applicants are innocent and they have falsely been implicated in the present case with false and frivolous allegations. He further added that the applicants were not involved in committing the alleged offence as has been mentioned in the first information report.

4. 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**.

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

6. 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 three 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)**.

7. The application is **disposed of** accordingly.

Order Date :- 16.10.2023

Manoj K.