

Court No. - 14

Case :- CRIMINAL APPEAL No. - 2954 of 2023

Appellant :- Sonu Singh @ Uma Singh And 4 Others

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

Counsel for Appellant :- Abhay Kumar,Raj Kamal Singh,Saurabh Shukla

Counsel for Respondent :- G.A.

Hon'ble Mohd. Faiz Alam Khan,J.

1. Heard Shri Abhay Kumar, learned counsel for appellants as well as learned Additional Government Advocate for the State and perused the record.

2. The instant Criminal Appeal under Section 14-A (1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been moved by the appellants- **Sonu Singh @ Uma Singh, Ram Tripathi, Ramesh, Jay Karan and Raja Ram** to admit and allow the appeal and set-aside the summoning order dated 13.12.2021 passed by the Special Judge SC/ST Act, Lucknow in Special Case No. 2026/2021 (State Vs. Sonu Singh @ Uma Singh and others), Crime No. 483/2020, under Sections 147, 452, 323, 504, 506 IPC & under Sections 3(1) Dha & 3(2)5A of SC/ST Act, Police Station Nigoha, District Lucknow and also to set aside the charge sheet dated 22.02.2021 and further to set aside the entire proceedings of Special Case No. 2026/2021 (State Vs. Sonu Singh @ Uma Singh and others), Crime No. 483/2020, under Sections 147, 452, 323, 504, 506 IPC & under Sections 3(1) Dha & 3(2)5A of SC/ST Act, Police Station Nigoha, District Lucknow, pending in the court of Special Judge SC/ST Act, Lucknow.

3. Learned counsel for the appellants submits that though various prayers have been stated in the prayer clause of appeal for quashing the charge sheet, summoning order and entire proceedings of the case pending before the trial court but now the appellants want to participate in the proceedings by surrendering/ appearing before the trial court/ special court but having an apprehension that the disposal of their bail application which they are intending to move before the trial court/ special court may take some time for disposal and in the meantime, they may be lodged in prison which will not only jeopardize their personal liberty but would also bring a bad name otherwise their good reputation, thus a suitable direction

be given to the trial court for expeditious disposal of their bail application which they are intending to move before the trial court.

4. Learned A.G.A. would have no objection to the request made by learned counsel for the appellants.

5. Thus, the only prayer which has been made by learned counsel for the appellants is with regard to issuing a suitable direction to the trial court/ special court for expeditious disposal of bail application which they are intending to move before the trial court/ special court.

6. This Court is of the considered view that even if there is no order of expeditious disposal of the bail application passed by any superior Court it is the duty of the each and every criminal court to dispose of the bail application of the under trials as well as of the convicts with expedition.

7. Having regard to the fact that personal liberty of accused persons is at stake, the instant Criminal Appeal moved on behalf of the appellants is finally ***disposed of*** with a direction to the trial court/ special court that if the appellants- **Sonu Singh @ Uma Singh, Ram Tripathi, Ramesh, Jay Karan and Raja Ram** appear / surrender before the trial court/ special court within 20 days from today and move any regular bail application, the trial court/ special court shall be under an obligation to dispose of the same with expedition, after providing an opportunity of being heard to the parties, strictly in accordance with law, if there is no legal impediment.

Order Date :- 18.10.2023

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