

Court No. - 28

Case :- APPLICATION U/S 482 No. - 10283 of 2023

Applicant :- Mo. Shakeel And 2 Others

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

Counsel for Applicant :- Anil Kumar Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh,J.

Heard learned counsel for the applicants, Shri Anirudh Kumar Singh, learned AGA-I for the State and perused the record.

Instant application under Section 482 Cr.P.C has been filed to quash the entire proceedings of Complaint Case No. 108 of 2019, arising out of Complaint Case No. 108 of 2019, under sections 379/452/323/354-B of I.P.C., Police Station-Kotwali Nagar, District-Ayodhya/Faizabad, pending in the court of learned Additional Chief Judicial Magistrate, First, Ayodhya/Faizabad as well as well impugned order dated 24-08-2023 passed in Criminal Revision No. 68 of 2023 as well as the order dated 24-02-2020.

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 four 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 :- 19.10.2023
AKS