

Court No. - 28

Case :- APPLICATION U/S 482 No. - 10351 of 2023

Applicant :- Shivmilan Mishra And 3 Others

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

Counsel for Applicant :- Shraddha Verma, Ankit Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh, J.

1. Heard Sri Shraddha Verma, learned counsel for the applicants and Sri Nirmal Kumar Pandey, 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.18531 of 2022 arising out of Charge Sheet No. 124 of 2021 dated 13.06.2021 in pursuance of Case Crime No. / First Information Report No. 139 of 2021, Under Section 323, 452, 427, 504, 506, 325 I.P.C., relating to Police Station - Haidargarh, District Barabanki containing Cognizance order dated 02.12.2021 passed by Learned Additional Chief Judicial Magistrate, Court No. 17, Barabanki.

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 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)**.

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

Order Date :- 19.10.2023

Mayank