

Court No. - 28

Case :- APPLICATION U/S 482 No. - 10344 of 2023

Applicant :- Rahul Kumar @ Rahul Gautam

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

Counsel for Applicant :- Abhishek Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh,J.

1. Heard Sri Abhishek Kumar, learned counsel for the applicant 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 Charge Sheet dated 25.04.2019 and summoning order dated 30.07.2019, arising out of the Crime No.177/2018, under section 324,504,506 IPC, Police Station-Para, District-Lucknow, in Case No. 436/2019 (State Vs. Akash Gautam and others), pending in the court of Learned J.M. II, Lucknow and further prayed to quash the entire proceeding of Case No. 436/2019 in Crime No.177/2018, under section 324,504,506 IPC, Police Station-Para, District- Lucknow, pending in the court of Learned J.M. II, Lucknow.

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

4. At this stage, learned counsel for the applicant 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 applicant.

6. On due consideration to the submissions of learned counsel for the parties, it is provided that in case, the applicant appears before the trial court within two weeks from today and files 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