

Court No. - 27

Case :- APPLICATION U/S 482 No. - 10654 of 2023

Applicant :- Krishna Kumar

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

Counsel for Applicant :- Ram Sahay Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Brij Raj Singh,J.

1. Heard learned counsel for the applicant, Sri Triveni Prasad, learned A.G.A.-I for the State and perused the record.

2. The present application has been filed praying for quashing the proceedings of Crl. Case No.86212 of 2023 (State of U.P. Vs. Krishna Kumar) pending in the Court of ACJM-IV, Court No.28, Lucknow arising out of Chargesheet dated 1.7.2023 in case crime No.230/2022 under Section 352/353/336/504/188/34/120-B IPC, Section 7 of Criminal Law Amendment Act, PS Bazar Khala, district Lucknow with further prayer to quash the chargesheet dated 1.7.2023 in the Court of ACJM-IV, Court No.28, Lucknow in Case Crime No.230 of 2022 under Section 354 IPC PS Bazar Khala, district Lucknow as well as cognizance order dated 9.8.2023 as contained in Annexure No.1 and 2 to the application with further prayer to stay the proceedings thereof.

3. After arguing at some length, learned counsel for the applicant submits that he does not want to press this application. However, he has submitted that the applicant may be granted the benefit of the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and another reported in [2022 SCC Online 825]**. He states that the applicant will surrender before the court below and apply for bail.

4. It is therefore, directed that in case the applicant surrenders before the Court below within three weeks from today and prefer bail application, the court below will decide the said bail application, as expeditiously as possible, taking into account the law laid down by the Supreme Court in *Satender Kumar Antil* (supra) and decide it in accordance with law.

5. The application stands disposed of.

Order Date :- 31.10.2023

Rajneesh JR-PS)