

Court No. - 13

Case :- APPLICATION U/S 482 No. - 10839 of 2023

Applicant :- Raju @ Rizwan

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

Counsel for Applicant :- Awdhesh Kumar Mishra, Abdhesh
Chandra Dwivedi, Rajesh Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Karunesh Singh Pawar, J.

Heard learned counsel for the petitioner, learned A.G.A. for the State and learned counsel for respondent no.2.

The present 482 Cr.P.C. petition has been filed to quash the entire proceedings of criminal case no. 11651/2023, arising out of charge sheet No. 285/2021 dated 26.10.2021 in pursuance of case crime/FIR No. 303/2021 dated 06.10.2021, under Sections 354/452 IPC, P.S. Pachdevra, District Hardoi so far as it relates to the applicant as well as summoning order dated 22.09.2023.

Learned counsel for the petitioner, after arguing the matter at some length, has submitted that he may be permitted to file discharge application. He has also prayed that he may be permitted to surrender and apply for bail before the court below and the same may be decided in view of law laid down in ***Satender Kumar Antil Vs. Central Bureau of Investigation & Anr***, Petition(s) for Special Leave to Appeal (Crl.) No(s).5191/2021 as his case is covered under category 'A'.

Learned A.G.A. has no objection to this innocuous prayer of learned counsel for the petitioner.

Accordingly, without entering into merits of the case, the present petition is disposed of permitting the petitioner to surrender before the trial court within ten days' from today and file bail application, which may be decided expeditiously by the learned trial court in view of law laid down by the Apex Court in ***Satender Kumar Antil (supra)***. After release on bail, the petitioner is at liberty to file a discharge application. If discharge application is filed, the same shall be decided within a period of two months on merits from the date of filing of discharge application.

Order Date :- 6.11.2023

R.C.