

Court No. - 13

Case :- APPLICATION U/S 482 No. - 10821 of 2023

Applicant :- Jamal Ahmad, (Former Secy. Committee Jama Masjid

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

Counsel for Applicant :- Mohd. Islam Khan

Counsel for Opposite Party :- G.A., Sabir Ali

Hon'ble Karunesh Singh Pawar,J.

Heard learned counsel for the applicant, learned counsel for respondent No.2 Mr. Sabir Ali, who has filed vakalatnama today in court, which is taken on record, as well as learned Additional Government Advocate for State.

The present application has been filed to quash the impugned charge sheet dated 5.6.2018 under sections 420, 427, 408 I.P.C., P.S. Kotwali, district Sitapur, summoning order dated 5.9.2018 as also entire proceedings of case No.5746 of 2018 State versus Jamal Ahmad arising out of case crime No.1063 of 2017.

Learned counsel for applicant, after arguing for some time, submits that present petition may be dismissed as not pressed with liberty to file a bail application which may be decided in view of law laid down by Supreme Court in **Satender Kumar Antil versus Central Bureau of Investigation and another Special Leave to Appeal (Cri)No.5191 of 2021**, to which learned A.G.A. has no objection.

In view of the above, prayer for quashing the impugned proceeding is refused. So far as other prayer is concerned, it is provided that in case the applicant appears before the trial court within three weeks from today and a bail application is filed, the same be decided expeditiously, in view of the law laid down by Supreme Court in Satender Kumar Antil's case (supra).

The petition is disposed of accordingly.

Order Date :- 3.11.2023

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