

Court No. - 13

Case :- APPLICATION U/S 482 No. - 10812 of 2023

Applicant :- Shriram Bihari Shukla @ Rambihari And Another

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

Counsel for Applicant :- Prabhat Kumar Mishra, Abhishek Dwivedi

Counsel for Opposite Party :- G.A.

Hon'ble Karunesh Singh Pawar, J.

Heard learned counsel for petitioners as well as learned Additional Government Advocate for State.

The present 482 Cr.P.C. application has been filed to quash the impugned criminal proceedings in case crime No.327 of 2022 (case No.26769 of 2023) under section 420 I.P.C., P.S. Kotwali Nagar, district Bahraich, pending in the court of Chief Judicial Magistrate, Bahraich.

Learned counsel for applicants, 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 petitioners appear before the trial court within 20 days 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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