

Court No. - 28

Case :- APPLICATION U/S 482 No. - 11034 of 2023

Applicant :- Chandra Bhan And 5 Others

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

Counsel for Applicant :- Dinesh Chandra Tewari

Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh,J.

1. Heard Sri Dinesh Chandra Tewari, learned counsel for the applicants and Sri Girijesh Dwivedi, 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 entire criminal proceeding in case no. 18694/23 State vs Chandra Bhan and Others including summoning order dated 26/09/2023 as well as charge sheet no. 1 dated 20.04.2022 under/sec 147, 323 504,506 and 325 IPC, Police Station- kheeron, District- Raibareilly, arising out of case crime no. 140/2022 u/sec 147, 452, 324, 427, 323, 504 and 506 IPC Police Station- Kheeron, District- Raibareilly pending in the court of 4th A.C.J.M Raibareilly, District- Raibareilly.

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

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

6. On due consideration to the submissions of learned counsel for the parties, it is provided that in case, the applicants appear before the trial court within two weeks from today and file bail application, the same shall be decided expeditiously in view of

law laid down in the case of **Satender Kumar Antil (supra)**.

7. Further, the applicants will have an opportunity at the appropriate stage to move an application for discharge taking therein all the pleas factual and legal which may be available to them, in accordance with law. In case, such an application is moved before the learned trial court, the learned trial court shall dispose of the same by a speaking and reasoned order strictly, in accordance with law.

8. The application is **disposed off** accordingly.

Order Date :- 7.11.2023

Mayank