

Court No. - 29

Case :- CRIMINAL APPEAL No. - 3137 of 2023

Appellant :- Akshat Srivastava

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

Counsel for Appellant :- Ravindra Kumar Yadava, Chandra Shekhar Agnihotri

Counsel for Respondent :- G.A.

Hon'ble Mrs. Renu Agarwal, J.

The present appeal under Section 14A (1) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act has been filed with the prayer to quash the charge sheet dated 04.06.2020 and supplementary charge sheet dated 25.03.2021 in Sessions Trial no. 944 of 2021 the further to quash the order dated 16.10.2023 passed by learned Special Judge SC/ST Act, Lucknow whereby the discharge application of the appellant was rejected.

During the course of arguments, learned counsel for the appellant submitted that he is confining his prayer that the appellant may be directed to move a bail application before the learned trial court which shall be decided in the light of decision of Hon'ble Supreme Court in the case of Satender Kumar Antil Vs. Central Bureau of Investigation reported in 2021 (10) SCC 773.

Learned A.G.A has no objection in case the aforesaid prayer of

the appellant is allowed.

In light of the above discussion the appellant is directed to surrender before the court below in the week commencing 20.11.2023 and apply for bail.

In case any such application for bail is moved the trial court is directed to decide the same in the light of the observation made by Hon'ble Supreme Court in the case of Satender Kumar Antil Vs. Central Bureau of Investigation reported in 2021 (10) SCC 773.

Till then no coercive action shall be taken against the applicant in Sessions Trial No. 944 of 2021.

The appeal is accordingly disposed of.

(Renu Agarwal,J.)

Order Date :- 7.11.2023

Nadeem