Court No. - 28

Case :- APPLICATION U/S 482 No. - 11210 of 2023

Applicant :- Harilal @ Harilal Yadav And Others
Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Home And Another
Counsel for Applicant :- Pramod Kumar Shukla,Ashish Kumar Mishra,Dr.Mohd.Kamran
Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh,J.

1. Heard learned counsel for the applicants and 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 for quashing of the charge sheet No. 01/2023 dated 22.08.2023 as well asa the summoning order dated 13.09.2023 issued from the Court of Additional Chief Judicial Magistrate, Kunda, District- Pratapgarh, arising out of the Case Crime No. 0137/2023, under Section 323, 504, 506, 452, 427 IPC, Police Station- Baghrai, District- Pratapgarh.

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 through counsel 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 of** accordingly.

Order Date :- 9.11.2023
-Amit K-

Digitally signed by :-
AMIT KUMAR
High Court of Judicature at Allahabad,
Lucknow Bench