Court No. - 11

Case :- APPLICATION U/S 482 No. - 11385 of 2023

Applicant :- Sandeep Kumar @ Sandeep Kumar Shukla And Another
Opposite Party :- State Of U.P. Thru. Prin. Secy. Home, U.P. Lucknow And Another
Counsel for Applicant :- Kalika Prasad Pandey
Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania,J.

Heard learned counsel for the petitioners/ applicants and learned AGA for the State as well as perused the record.

The present petition under Section 482 Cr.P.C has been filed by the applicants with the prayer to quash/set-aside the charge sheet No. 24/2023 dated 25.02.2023 in Case Crime/F.I.R. No. 260/2022, under Section 406 IPC, Police Station- Munshiganj, District- Amethi as well as impugned summoning order dated 02.06.2023 passed in Criminal Case No. 10202/2023 (State vs. Sandeep Kumar Shukla and another) by Additional Civil Judge (S.D.) I/Additional Chief Judicial Magistrate, Sultanpur.

After arguing at some length, learned counsel for the applicants has submitted that liberty may be given to the applicant for moving a discharge application before the court below and the same may be decided expeditiously.

It is further prayed that liberty may also be given to the applicants to file bail application before the trial court which may be decided in view of law laid down by Hon'ble Supreme Court in order dated 7.10.2021 passed in ***Petition for Special Leave to Appeal (Cri) No.5191 of 2021 Satender Kumar Antil versus Central Bureau of Investigation and another***.

Learned AGA has no objection to the prayer made by learned counsel for the applicants.

As prayed, liberty is granted to the applicants to move discharge application before the court below and the same shall be decided expeditiously in accordance with law.

As far as prayer made by learned counsel for the applicants to grant liberty to the applicants to file bail application and the same may be decided in in view of law laid down in the case of ***Satender Kumar Antil versus Central Bureau of Investigation and another (supra)***, liberty is given to the applicants to move bail application before the trial court and the same shall be decided in view of law laid down in the case of ***Satender Kumar Antil versus Central Bureau of Investigation and another (supra)***.

With the aforesaid observations, the present petition is disposed of.

Order Date :- 21.11.2023
Arun/-

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