

Court No. - 11

Case :- APPLICATION U/S 482 No. - 11494 of 2023

Applicant :- Alka Singh

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

Counsel for Applicant :- Dharendra Singh Panwar

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania,J.

Heard learned counsel for the petitioner/ applicant and learned AGA for the State as well as perused the record.

The present petition has been filed for the following main relief:-

"WHEREFORE, it is most respectfully prayed that the Hon'ble Court may kindly be pleased to allow the instant petition U / S 482 Cr. P.C. and quash the impugned chargesheet no. 1 dated 12.06.2022 (as contained in annexure no. 2) and the impugned cognizance order dated 05.06.2023 (as contained in annexure no. 3) passed by the Learned Court of Chief Judicial Magistrate, Lucknow as well as the proceedings of the Crl. Case No. 65209/2023 In'Re The State Vs Alka Singh & Others arising out of case crime no. 674/2021 under section 406, 420 IPC P.S. Vibhuti Khand, Lucknow pending before the Learned Court of Additional Chief Judicial Magistrate-II, Lucknow, so far as it relate to the petitioner."

After arguing at some length, learned counsel for the applicant 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 applicant 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 applicant 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 applicant to grant liberty to the applicants to file bail application and the same may be decided 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 applicant 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 :- 24.11.2023/Jyoti/-