

Court No. - 28

Case :- APPLICATION U/S 482 No. - 11579 of 2023

Applicant :- Rahul Kumar Yadav

Opposite Party :- State Of U.P. Thru.Prin.Secy. Home And 2 Others

Counsel for Applicant :- Santosh Kumar Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Mrs. Jyotsna Sharma,J.

01. Heard Sri Santosh Kumar Shukla, learned counsel for the applicant and learned A.G.A. for the State and perused the record.

02. This application under Section 482 Cr.P.C. has been filed by the applicant with a prayer that the charge sheet dated 10.05.2022 in Criminal Case No. 9935 of 2022, Charge Sheet No. 01 of 2022, bearing Case Crime No. 235 of 2022 under sections 498-A, 323, 504, 506 of I.P.C. and section 3/4 of D.P. Act, Police Station- Kotwali Nagar, District- Sultanpur and the summoning order dated 02.12.2022 passed by the C.J.M. Sultanpur, be quashed.

03. After arguing for sometime the learned counsel for the applicant seeks not to press the aforesaid prayers. He further stated at the Bar that he is not pressing any other prayer made in this application on merits and prayed that a direction may be issued to the concerned courts below to consider and decide the bail application/surrender application of the applicant expeditiously.

04. Learned A.G.A. for the State of U.P. submits that in case the applicant is not pressing for the reliefs as initially sought for by him on merit and wants to surrender before the concerned court below, he has no objection.

05. In view of facts and circumstances of the case and no objection of learned A.G.A., it is directed that in case the applicant surrenders before the court concerned within 15 days from today and moves a suitable bail application, the same shall be considered and decided by the court below in accordance with law and keeping in view the guidelines as laid down by the Apex Court in the case of **Satender Kumar Antil vs. Central Bureau of Investigation and another, reported in (2021) 10 SCC 773.**

06. With the above directions, this application under Section 482 Cr.P.C. is **disposed of.**

Order Date :- 28.11.2023

Sumit Kumar