

Court No. - 11

Case :- APPLICATION U/S 482 No. - 11647 of 2023

Applicant :- Lallu @ Sunil Kumar Gupta And Another

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

Counsel for Applicant :- Paritosh Shukla, Sukh Deo Singh

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 dated 12.12.2022 including summoning order dated 16.08.2023 in Criminal Case No. 7854 of 2023, (State of U.P. vs. Sunil Gupta) arising out of FIR No. 1212 of 2022, under Section 323, 308 IPC, Police Station Kotwali Nagar, District Sultanpur pending before Chief Judicial Magistrate, Sultanpur as also to stay the further proceedings of aforesaid criminal case.

After arguing at some length, learned counsel for the applicants has submitted that liberty may 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 far as prayer made by learned counsel for the applicants to grant liberty to the applicant 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 :- 29.11.2023

Raj