

Court No. - 11

Case :- APPLICATION U/S 482 No. - 12112 of 2023

Applicant :- Mohd. Javed Khan

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

Counsel for Applicant :- Sandeep Singh, Anupesh Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the applicant, learned A.G.A. for the State of U.P. and perused the record.

The present petition under Section 482 Cr.P.C has been filed by the applicant for the following main relief:-

"WHEREFORE it is most respectfully prayed that this Hon'ble Court may very graciously be pleased to quash the further proceedings of the impugned Charge Sheet No. A-168/2019 dated 22.10.2019 filed in case crime no. 84/2019 , U / S - 420, 406 IPC Act at Police Station, Risiya, District- Bahraich, by the police & Cognizance order dated 03.06.2020 passed by learned Additional Chief Judicial Magistrate, Bahraich, against the petitioner in aforesaid case."

After arguing at some length, learned counsel for the applicant has submitted that the present application be disposed of finally with liberty 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 applicant.

Accordingly, the present application is ***disposed of finally*** with liberty to the applicant to move bail application before the trial court and, if such an application is preferred, 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).***

Order Date :- 21.12.2023

Jyoti/-