

Court No. - 15

Case :- CRIMINAL APPEAL No. - 3565 of 2023

Appellant :- Devendra Pratap Singh @ Sri Bhagwan Singh

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Home Lko. And Another

Counsel for Appellant :- Sudhir Kumar Pandey, Rama Niwas Pathak

Counsel for Respondent :- G.A.

Hon'ble Shamim Ahmed,J.

Heard learned counsel for the appellant as well as learned A.G.A. for the State and perused the record.

The instant appeal has been filed on behalf of the appellant, namely, Devendra Pratap Singh @ Sri Bhagwan Singh with a prayer to quash the impugned charge sheet dated 28.11.2019, Case Crime No.358 of 2019, under Sections 323, 504, 506 I.P.C. and Section 3(1)(Dha) of S.C./S.T. Act, Police Station Akhand Nagar, District Sultanpur as well as to quash the summoning order dated 20.07.2023 passed by learned Special Judge, S.C./S.T. Act, Sultanpur in Special Sessions Case No.123 of 2020 as well as entire criminal proceedings in pursuance thereof.

After some argument, learned counsel for the appellant confined his prayer to the extent that a positive direction may be given to learned court below that if a bail application is moved before it by the appellant, the same may be considered and decided expeditiously in accordance with law in light of judgment of the Hon'ble Supreme Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and others : (2022) 10 SCC 51** as the punishment in the above case is less than seven years.

Learned A.G.A. as well has no objection to the prayer made by learned counsel for the appellant and submits that a positive direction may be issued to the learned court below to consider and decide the bail application, if moved before it by the appellant, expeditiously in accordance with law after hearing the public prosecutor.

In view of the submissions made by learned counsel for the parties, if the appellant appears and surrenders before the court below and applies for bail within four weeks' from today, the

prayer for bail shall be considered and decided expeditiously by the court below in accordance with law after hearing the Public Prosecutor in light of judgment of Hon'ble Supreme Court in the case of **Satender Kumar Antil (Supra)**.

With the aforesaid observations, this appeal is finally **disposed of**.

The party shall file computer generated copy of such order downloaded from the official website of High Court Allahabad or certified copy issued from the Registry of the High Court, Allahabad.

The concerned Court/Authority/Official shall verify the authenticity of such computerized copy of the order from the official website of High Court Allahabad and shall make a declaration of such verification in writing.

Order Date :- 21.12.2023

Saurabh