

Court No. - 11

Case :- APPLICATION U/S 482 No. - 12426 of 2023

Applicant :- Ramjeet Rajbhar @ Ramjeet

Opposite Party :- State Of U.P. Thru. Prin. Secy. (Home), U.P. Lucknow And Another

Counsel for Applicant :- Ravindra Kumar Yadav, Ajeet Singh, Amit Ranjan Gautam, Deeksha Jaiswal

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:-

"The petitioner, named above most respectfully begs to submit that for the facts, reason and circumstances stated in the accompanying affidavit this Hon'ble Court may kindly be please to stay the impugned summon Dated 08-04-2022, U/S 406, 420 IPC P.S. Kotwali Akbarpur Ambedkar Nagar Case No- 5346/2022 State Vs Ramjeet rajbhar, arising out of Case Crime No 79/2018 U/S 406, 420 IPC P.S. Kotwali Akbarpur Distt. Ambedkar Nagar, in the interest of Justice.

It is further prayed that this Hon'ble Court may kindly be please to stay the further proceeding of the case No. 5346/2022 State Vs Ramjeet Rajbhar pending in the Court of Learned Chief Judicial Magistrate, Ambedkar Nagar, during the pendency of present petition in the interest of justice."

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 :- 20.12.2023

Jyoti/-