

Court No. - 12

Case :- APPLICATION U/S 482 No. - 11713 of 2024

Applicant :- Saryjeet Gautam @ Anees And Another

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

Counsel for Applicant :- Sachida Nand Tiwari, Naveen Giri

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the applicants and learned AGA for the State as well as perused the record.

The present application has been filed for the following main relief:-

"Wherefore on the basis of what has been said and above, it is most respectfully prayed that

i. This Hon'ble Court may kindly be pleased to quash the impugned First Information Report dated 07/05/2024 under CASE CRIME NO.131/2024, U/S 352/504/506 IPC, POLICE STATION: BIJNAUR, DISTRICT: LUCKNOW, Charge Sheet dated 02/06/2024 and the Summoning Order dated 09/10/2024 under CASE CRIME NO. 131/2024, U/S 352/504/506 IPC, POLICE STATION: BIJNAUR, DISTRICT: LUCKNOW against the petitioner.

ii. This Hon'ble Court may kindly be pleased to stay the proceedings of the CASE CRIME NO. 131/2024, U/S 352/504/506 IPC, POLICE STATION: BIJNAUR, DISTRICT: LUCKNOW against the petitioner, pending before the JM-III, Lucknow."

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 the case of **Satender Kumar Antil versus Central Bureau of Investigation and another, (2022) 10 S.C.R. 351: (2022) 10 SCC 51** as also to prefer a discharge application before the court below and the same may be decided expeditiously.

Learned AGA has no objection to the prayer made by learned counsel for the applicants.

Keeping in view the aforesaid, the present application is **disposed of** with liberty as prayed for and with a direction to the court below that if the applicants apply for bail before the Court concerned, their prayer for bail shall be considered and decided expeditiously in accordance with law.

Liberty is also granted to the applicants to move discharge application before the court below and the same shall be decided expeditiously in accordance with law.

Taking note of the facts of the case and also the observation made in the case of **Satendra Kumar Antil (Supra)**, this Court is of the view that it would be appropriate to observe that it is expected from the Police Officer concerned that for a period of 30 days from today or till the applicants apply for bail, whichever is earlier, he would not take any coercive action against the applicants in the aforesaid case.

With the aforesaid observations, the present application is **disposed of**.

Order Date :- 19.12.2024

ML/-