

Court No. - 12

Case :- APPLICATION U/S 482 No. - 11737 of 2024

Applicant :- Anshuman Singh

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home U.P.
Lko. And 3 Others

Counsel for Applicant :- Akshay Kumar Singh, Palak Jawa

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

Heard Ms Palak Jawa, learned counsel for the applicant and learned AGA for the State and Shri Vineet Kumar Mishra, learned counsel for the opposite party No.2, who has filed his Vakalatnama, the same is taken on record.

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

"(i) An order or direction to quash the impugned order dated 07.10.2024, whereby bailable warrant has been passed against the petitioner and cognizance order dated 22.05.2024, passed by the Ld. A.C.J.M-IV, Raebareilly in Case No.8668 of 2024 along with the charge sheet dated 25.04.2024 and other consequential proceedings contained in Annexure No.1 (Colly) with this petition.

(ii). An order or direction to direct the Opposite Party No. 2 and 3 to not to take any coercive action against the petitioner in the abovementioned case."

After arguing at some length, learned counsel for the applicant has submitted that liberty may be given to the applicant 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 applicant.

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 applicant apply for bail before the

Court concerned, his prayer for bail shall be considered and decided expeditiously in accordance with law.

Liberty is also granted to the applicant 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 applicant applies for bail, whichever is earlier, he would not take any coercive action against the applicant in the aforesaid case.

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

Order Date :- 19.12.2024

ML/-