

Court No. - 12

Case :- APPLICATION U/S 482 No. - 11614 of 2024

Applicant :- Shashi Kant Gupta

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

Counsel for Applicant :- Ajay Kumar Ojha, Pooja Srivastava, Prabhat Kumar Ojha, Sujit Kumar Ojha

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

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

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

"Wherefore, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to quash the entire proceedings of Criminal Case No. 522 of 2023 (State Vs. Shashi Kant Gupta); arising out of Charge Sheet No. 351(01) of 2022 dated 13.11.2022 in pursuance of Case Crime No. / First Information Report No. 322 of 2021, Under Section 354A I.P.C. and Section 7/8 of Protection of Children from Sexual Offences Act, 2012, relating to Police Station - Mandhata, District Pratapgarh, pending before Learned Special Judge (POCSO Act), Pratapgarh as well as summoning order dated 21.03.2023 passed by Learned Special Judge (POCSO Act), Pratapgarh (contained as Annexure No. 1 and 2), in the interest of law and justice."

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 applicants 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.

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

Order Date :- 18.12.2024

Jyoti/-