Court No. - 12

Case :- APPLICATION U/S 482 No. - 10379 of 2024
Applicant :- Praveen Verma
Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko. And Another
Counsel for Applicant :- Durgesh Kumar Rawat,Akhtar Ali,Raj Bahadur Singh Rawat
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 by the applicant with a prayer to quash the summoning order dated 16.12.2022 issued by Special Judge, E.C. Act, Court No. 4, Unnao as well as impugned charge sheet No. 97/2021, dated 30.06.2021 and entire proceedings of the case arising out of Case Crime No. 0097/2019, under Sections 135 of Indian Electricity Act, P.S.- Power Theft Than Unnao, District- Unnao pending in the court of Special Judge, E.C. Act, Court No. 4, Unnao.

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 applies 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 observations 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, they 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 :- 19.11.2024
Arun/-

Digitally signed by :-
ARUN KUMAR GANGWAR
High Court of Judicature at Allahabad,
Lucknow Bench