Court No. - 28
Case :- APPLICATION U/S 482 No. - 11219 of 2024
Applicant :- Allmeen
Opposite Party :- State Of U.P. Thru. Secy. Home Lko And Another
Counsel for Applicant :- Alok Mishra
Counsel for Opposite Party :- G.A.

Hon'ble Brij Raj Singh,J.

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

Instant application under Section 482 Cr.P.C has been filed to quash/set-aside the entire criminal proceeding including Bailable warrant dated 16.12.2023 passed in Criminal Case No.25953/2022 as well as summoning order dated 27.02.2016 passed by Additional Civil Judge (J.D.), Mahmoodabad, District Sitapur in Criminal Case No. 210/2016, relating to FIR No.73/2015, Case Crime No. 139/2015 under section 324, 323, 504, 506, 308 IPC at P.S. Rampur Mathura District Sitapur and charge sheet dated 6.6.2015 as contained as Annexure No. 1,2 and 3 to this application so far as it relates the applicant.

Learned counsel appearing for the applicant submits that the applicant is innocent and was never involved in committing the offence as has been mentioned in the first information report. He added that due to enmity, his name has been planted in the first information report and thereafter he has been chargesheeted. He next added that due to unavoidable circumstances, he could not appear before the court below.

At this stage, learned counsel for the applicant submits that he does not want to press the application and seeks liberty to file bail application before the learned trial court which may be decided in view of law laid by Hon'ble Supreme Court's judgment in the case of ***Satender Kumar Antil versus Central Bureau of Investigation and another (2022)10 SCC 51***.

Learned A.G.A. has opposed the prayer made by the learned counsel for the applicant.

On due consideration to the submissions of learned counsel for the parties', it is provided that in case, the applicant appears before the trial court within two weeks from today and file bail application, the same shall be decided expeditiously.

The application is disposed of accordingly.

[Brij Raj Singh, J.]

Order Date :- 10.12.2024 / Anuj Singh

Digitally signed by :-
ANUJ PRATAP SINGH
High Court of Judicature at Allahabad,
Lucknow Bench