

Munish vs State Of U.P. on 2 January, 2025

Author: Krishan Pahal

Bench: Krishan Pahal

HIGH COURT OF JUDICATURE AT ALLAHABAD

Neutral Citation No. - 2025:AHC:502

Court No. - 65

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46886 of 2024

Applicant :- Munish

Opposite Party :- State of U.P.

Counsel for Applicant :- Ajay Kumar Pandey, Alok Singh

Counsel for Opposite Party :- G.A.

Hon'ble Krishan Pahal, J.

1- lwph dks nkscjk iqdkj x;kA 2- vkosnd ds vf/koDrk Jh vt; dkekj ik.Ms; ,oa vij 'kkldh; vf/koDrk Jh v#.k dkekj feJk ds rdZ lqus rFkk vfHkys[kksa dk voyksdu fd;kA 3- vkosnd }kjk izFke lwpuk vk[k; la[k& 144 lu~ 2024 /kkjk& 147] 148] 149] 452] 302] 364] 504] 506 Hkk-n-fo-] iqfyl LVs'ku ,sdk] ftyk fQjstkckn] esa tekur gsrq izkFkZuk&i= izLrqr fd;k gSA 4- vkosnd ds fo}ku vf/koDrk }kjk ;g rdZ izLrqr fd;k x;k gS fd lg&vfHk;qDr fot; flag dks bl U;k;ky; }kjk fofo/k tekur izkFkZuk&i= la[k; 34493 lu 2024 esa ikfjr vius vkns'k fnukid 24-10-2024 ls tekur ij fjk fd;k tk pqdk gSA vkosnd dk dksbZ vkijkf/kd bfrgkl ugha gSA og fnukid 14-5-2024 ls tsy esa fu#) gSA 5- vkxs ;g Hkh rdZ izLrqr fd;k x;k gS fd pwafd vkosnd dh Hkwfedk lg&vfHk;qDr ds leku gS] ftls igys gh tekur ij fjk fd;k tk pqdk gS] vr% lekurk ds vk/kkj ij izkFkhZ Hkh tekur ikus dk vf/kdkjh gSA 6- jkT; dh vksj ls tekur dk fojks/k fd;k x;k gS] gkykafd vkosnd ds lg&vfHk;qDr ls lekurk ds rF;kRed igyw dk fojks/k ugha fd;k x;k gSA 7- bl U;k;ky; }kjk uUgk iq= ukHkk [kki cuke mUkj izns'k ljdkj 1993 f0feuy ykW tuZy 938 esa ,oa

mPpre U;k;ky; }kjk ikjl jke fcÜuksbZ cuke funs'kd] dsUnzh; vUos'k.k C;wjks MANU/SCOR/22410/2021 rFkk lrsUnj dqekj vafry cuke dsUnzh; tkip C;wjks o vU;] 2022 vkbZ-,u-,l-lh- 690 esa izfrikfnr fl)kUr] izdj.k ds rF;ksa rFkk ifjLFkfr;ksa vkSj xq.k nks" k ij dksbZ vfHker O;Dr u djrs gq, U;k;ky; dh jk; esa vkosnd lekurk ds vk/kkj ij tekur ikus dk vf/kdkjh gSA 8-lekurk ds vk/kkj ij vkosnd dk tekur izkFkuk&i= Lohdkj fd;k tkrk gSA 9- mijksDr vijk/k la[k; k ds ekeys esa lafyIr vkosnd equh'k dks fuEufyf[kr'krksZa ds v/khu lacaf/kr U;k;ky; dh larqf'V ds fy, ,d O;fDrxr ckaM vkSj leku jkf'k ds nks izfrHkw izLqr djus ij tekur ij fjk fd;k tk,A

(i) vkosnd lk{; ds lkFk NsM+NkM+ ugha djsxkA

(ii) vkosnd (1) ekeys dks izkjEHk djus] (2) vkjksi r; djus vkSj (3) /kkjk 313 lhvkjihlh ds rgr c;ku ntZ djus ds fy, fu/kkZfjr frFk;kasa ij] O;fDrxr :i ls] fopkj.k U;k;ky; ds le{k mifLFkr jgsxkA ;fn fopkj.k U;k;ky; dh jk; esa vkosnd dh vuqifLFkfr tkucw>dj ;k i;kZIr dkj.k ds fcuk gS] rks mlds ;g NwV gksxh fd og bl rjg dh pwd dks tekur dh Lora=rk dk nq;i;ksx ekurs gq, mlds fo:) dkuwu ds vuqlkj dk;Zokgh djsaA 10- mijksDr'krksZa esa ls fdlh ds mYya?ku ds ekeys esa] ;g tekur j` djus dk vk/kkj gksxkA izfrHkwfr Lohdkj fd;s tkus ls igys vkosnd vkSj tekurnkjsa dh igpku jLFkfr vkSj fuokl izek.k lacaf/kr U;k;ky; }kjk lR;kfir fd;k tk,xkA Order Date :- 2.1.2025 Shalini (Justice Krishan Pahal)