

Vineet Singh @ Sumit Singh vs The State Of U.P. Thru. Prin. Secy. Civil ... on 10 March, 2025

Author: Saurabh Lavania

Bench: Saurabh Lavania

HIGH COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BENCH

?Neutral Citation No. - 2025:AHC-LK0:14371

Court No. - 12

Case :- APPLICATION U/S 528 BNSS No. - 101 of 2025

Applicant :- Vineet Singh @ Sumit Singh

Opposite Party :- The State Of U.P. Thru. Prin. Secy. Civil Sectt. Govt. Lko. And 3 Othe

Counsel for Applicant :- Pankaj Kumar Shukla

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 for the following main relief(s):-

"Wherefore, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to quash the entire proceedings of, Session Case No. 1141/2024 State Versus Vineet Singh, arising out of Case Crime no. 221/2024, under sections- 74 Bhartiya Nyaya Sanhita and 7/8 Protection of Children from Sexual Offences Act. relating to Police Station-Moti Ganj, District- Gonda, pending in the court Learned Additional Session and Special Session Judge POCSO Act., Gonda as well as impugned Chargesheet dated 11/09/2024 (contained as Annexure no 1. to this petition) as well as impugned cognizance order Dated 11/12/2024 (contained as Annexure No. 2 to

this petition), in the interest of law and justice."

After arguing the matter 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 directed to be decided in view of law laid down by the Hon'ble Apex Court in the case of Satender Kumar Antil vs. Central Bureau of Investigation and another, (2022) 10 S.C.R. 351 : (2022) 10 SCC 51 and Musheer Alam vs. State of Uttar Pradesh and Another, 2025 SCC OnLine SC 116, and also to prefer a discharge application before the court below and the same may also be directed to 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, if the charges have already not been framed, which shall be decided expeditiously in accordance with law.

Taking note of the facts of the case and also the observations made by the Hon'ble Apex Court in the case of Satendra Kumar Antil (Supra) and Musheer Alam (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 :- 10.3.2025 Arun/-