

Abhijeet Keshewani vs State Of U.P.And Another on 22 February, 2023

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Court No. - 51

Case :- APPLICATION U/S 482 No. - 5221 of 2023

Applicant :- Abhijeet Keshewani

Opposite Party :- State Of U.P.And Another

Counsel for Applicant :- Madan Singh

Counsel for Opposite Party :- G.A.

Hon'ble Vikram D. Chauhan,J.

Heard learned counsel for the applicant and learned A.G.A. for the State.

This application under Section 482 Cr.P.C. has been filed by applicants for quashing the summoning order dated 06.08.2022 as well as entire proceeding of Complaint Case No. 1385/2022 (State Vs. Abhijeet Keshewani) under Section 51, 59 Food Safety And Standards Act 2006 P.S.- Khuldabad District- Prayagraj pending in the court of Additional Chief Judicial Magistrate Court No. 2 Prayagraj and to stay the operation and effect of summoning order dated 06.08.2022 as well as further proceedings of aforesaid complaint case.

After some arguments, learned counsel for the applicant states that he may be permitted to withdraw this application filed under Section 482 Cr.P.C. with liberty to file bail application before the court below.

Learned A.G.A. has no objection to the prayer made by learned counsel for the applicant.

Under the circumstances, the present application under Section 482 Cr.P.C. is dismissed as withdrawn with liberty to applicant to approach the court concerned for bail. In order to enable the applicant to approach the court concerned for bail, for a period of 20 days, no coercive action shall be taken against the applicant. In case, the bail application is preferred by the applicant before the court concerned, the court concerned shall decide the same expeditiously without granting unnecessary adjournment to any party. While considering the bail application of the applicant, the court below shall keep in mind the principles of law laid down in the case of Satender Kumar Antil Vs. Central Bureau of Investigation and another, (2021) 10 SCC 773.

The application under Section 482 Cr.P.C. is dismissed as withdrawn with the aforesaid liberty.

Order Date :- 22.2.2023/Sumit Kumar