

Shibu vs State Of U.P. And Another on 12 January, 2021

Author: Vivek Varma

Bench: Vivek Varma

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Court No. - 79

Case :- APPLICATION U/S 482 No. - 609 of 2021

Applicant :- Shibu

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Anil Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Vivek Varma,J.

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

The present application under Section 482 Cr.P.C. has been filed for quashing the summoning order dated 22.06.2020 passed by the Additional Chief Judicial Magistrate, Kasganj in Complaint Case No. 349 of 2020, under Section 59(i) of the Food Safety and Standards Act, 2006.

At the very outset learned counsel appearing on behalf of the applicant submits that he does not want to press the principal prayers seeking quashing of the summoning order as has been made in the application. He is ready to submit to the jurisdiction of the court, seek bail and accept all the conditions, which this Court may deem fit to impose upon him. The only prayer made by the learned counsel for the applicant is that the hearing of the bail application may be done expeditiously.

In view of the submission made by the learned counsel for the applicant, the prayer, insofar as it relates to seeking quashing of the summoning order, stands refused.

However, it is directed that if the applicant appears and surrenders before the court below within 30 days from today and applies for bail, his prayer for bail shall be considered and decided expeditiously in view of the settled law laid down by this Court as well as Hon'ble Apex Court.

For a period of 30 days from today or till the appearance of the applicant before the court concerned, whichever is earlier, no coercive action shall be taken against him. However, in case, the applicant does not appear before the Court below within the aforesaid period, coercive action shall be taken against him.

With the aforesaid observations, this application is finally disposed of.

It is made clear that no application seeking extension of time shall be entertained if this order is not complied with within the aforesaid period.

Order Date :- 12.1.2021 SKT/-