

Mahendra Dwivedi And 6 Others vs State Of U.P. And Another on 8 February, 2023

Author: Rajiv Gupta

Bench: Rajiv Gupta

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Court No. - 65

Case :- APPLICATION U/S 482 No. - 3852 of 2023

Applicant :- Mahendra Dwivedi And 6 Others

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

Counsel for Applicant :- Shiv Bahadur Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

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

This application under Section 482 Cr.P.C. has been filed by the applicants with the prayer to quash the charge-sheet no. 396 of 2017 dated 19.11.2017 and cognizance order dated 07.05.2018 as well as entire proceedings of Criminal Case No. 1834 of 2018 (State Vs. Mahendra Dwivedi and others), arising out of Case Crime No. 573 of 2016, under Sections 353, 504, 506, 427 IPC and Section 59 of Food Safety and Standard Act, Police Station Kotwali, District Jhansi, pending in the court of Chief Judicial Magistrate, Jhansi.

After some arguments, learned counsel for the applicants has made a statement at the bar, on instructions, that he does not want to press other prayers made in the application and states that the applicants are ready to surrender before the court below and seek their bail and that their bail application be considered and disposed off in view of law laid down by Hon'ble Apex Court in the case of Satender Kumar Antil Vs. Central Bureau of Investigation and another reported in (2021) 10 SCC 773.

Per contra, learned AGA states that he has no objection to the aforesaid prayer made by learned counsel for the applicants for not pressing the other prayers made in the instant application.

In view of the above, in case the applicants appear/ surrender before the court below within three weeks from today and apply for bail, their bail application be considered and disposed off in view of law laid down by Hon'ble Apex Court in the case of Satender Kumar Antil Vs. Central Bureau of Investigation and another reported in (2021) 10 SCC 773, after hearing the parties.

With the aforesaid observations, this application under Section 482 Cr.P.C. is finally disposed off.

Order Date :- 8.2.2023/Nadim