

# Somnath Gupta And Another vs State Of U.P. And Another on 16 May, 2023

**Author: Rajiv Gupta**

**Bench: Rajiv Gupta**

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2023:AHC:105709

Court No. - 65

Case :- APPLICATION U/S 482 No. - 16002 of 2023

Applicant :- Somnath Gupta And Another

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

Counsel for Applicant :- K.K.Rao,Sarvjeet Singh Chauhan

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

1. Heard learned counsel for the applicants, learned A.G.A. for the State and perused the record.
2. This application under Section 482 Cr.P.C. has been filed with the prayer to quash the summoning order dated 24.01.2023 and entire proceedings of Case No. 09 of 2023 (State Vs. Lavlesh Gupta and 3 Others), under Sections 52(1), 59(iii), 58 of Food Safety and Standards Act, Police Station Khanna, District Mahoba, pending in the court of Additional Sessions Judge, Court No.1, Banda.
3. 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 instant application and states

that the applicants are ready to appear before the court below and seek their bail and that their release be considered 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 (2022) 10 SCC 51.

4. 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.

5. In view of the above, in case the applicants appear before the court below within three weeks from today and seek bail, their release be considered 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 (2022) 10 SCC 51.

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

Order Date :- 16.5.2023/Nadim