

Rajesh Vs. State of U.P

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Court : Allahabad

Decided On : Oct-15-2012

Judge : V.K. Dixit

Appeal No. : U/S 482/378/407 No. 3720 of 2012

Appellant : Rajesh

Respondent : State of U.P

Judgement :

1. HEARD learned counsel for the petitioners, learned A.G.A. for the State and perused the relevant papers on record. The application/petition under Section 482 Cr.P.C. has been filed for? quashing the impugned summoning order dated 10.10.2011 relating to Complaint Case No.2186 of 2011, under Sections 452, 323, 379 I.P.C., and Section 3 (i) (X) S.C./S.T. Act, Police Station Beniganj, District Hardoi pending before learned Judicial Magistrate, Court No.2, Hardoi.

2. AFTER some arguments, learned counsel for the petitioners does not wish to press the petition on merits and at this stage learned counsel for the petitioners confines his prayer only to the extent that in case they appear before the court concerned and move applications for bail then the same be decided in view of the full Bench decision of this Court in the Case of Smt. Amrawati and another v. State of U.P., reported in 2004 CBC page 705 and in view of the law laid down by the Hon'ble Supreme in the case of Lal Kamendra Pratap Singh v. State of U.P.,

reported in 2009 (1) JIC 677.

In view of the aforesaid facts and circumstances and also considering the submission made by learned counsel for the petitioners this petition/application under Section 482 Cr.P.C. is finally disposed of with a direction to the courts below that if the petitioners surrender before the courts below within four weeks from today and move bail applications then the same may be considered and disposed of expeditiously in accordance with law.

Till the aforesaid period of four weeks, no coercive steps shall be taken against the petitioners by the court concerned. It is made clear that in case, they fail to comply with the aforesaid directions, the benefit of this order would not be available to them.

3. WITH the above observations, this writ petition under Section 482 Cr.P.C. is finally disposed of.

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