
(2022) 07 UK CK 0038

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 1146 Of 2022

Amit Verma And Suraj Prakash

APPELLANT

Vs

State Of Uttarakhand And Another

RESPONDENT

Date of Decision : 08-07-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 323, 498A

Citation : (2022) 07 UK CK 0038

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Gaurav Singh, S.T. Bharadwaj

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. This is an application under Section 482 of the Code of Criminal Procedure, 1973, filed by the applicants – accused persons, namely, Amit Verma and Suraj Prakash with the following main reliefs:-

To quash the charge-sheet, cognizance/ summoning order dated 18.08.2020 and the entire proceedings of Criminal Case No.581 of 2020, "State vs. Amit Verma and Others", pending before the court of IInd Judicial Magistrate, Haridwar for the offence under Sections 498A and 323 of IPC.

To dispose of the present matter directing the IInd Judicial Magistrate, Haridwar to decide the bail applications of the present applicants in the light of the judgment, passed by the Hon'ble Apex Court in "Satender Kumar Antil vs. Central Bureau of Investigation and Another", (2021) 10 SCC 773.

2. Heard Mr. Gaurav Singh, the learned counsel for the applicants and Mr. S.T. Bharadwaj, the learned Deputy Advocate General for the State.

3. During the arguments, the learned counsel for the applicants – accused

persons submitted that the applicants do not want to press the first relief, i.e. to quash the charge-sheet, cognizance/summoning order and the entire proceeding of the said criminal case. He requested to decide the present matter in the light of the second relief.

4. The learned counsel for the State has no objection.

5. At the request of the learned counsel appearing for the applicants, the first relief to quash the charge-sheet, cognizance/ summoning order and the entire proceedings of the said criminal case, are rejected as not pressed.

6. The present Criminal Miscellaneous Application (No.1146 of 2022), filed under Section 482 of the Code of Criminal Procedure, 1973, is disposed of by directing the concerned court, in case, the present applicants, namely, Amit Verma and Suraj Prakash, move bail applications, the concerned court shall consider the same by following the directions of the Hon'ble Supreme Court passed in Satender Kumar Antil (Supra).