
(2022) 02 UK CK 0040

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 214 Of 2022

Kallu Ahmad And Others

APPELLANT

Vs

State Of Uttarakhand And Another

RESPONDENT

Date of Decision : 07-02-2022

Acts Referred:

Indian Penal Code, 1860 — Section 147, 148, 149, 323, 325, 452, 504, 506

Citation : (2022) 02 UK CK 0040

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : Mohd. Safdar, V.S. Rathore

Final Decision : Disposed Of

Judgement

Ravindra Maithani, J

1. Instant petition has been filed for quashing the charge-sheet, which is basis of Criminal Case No.610 of 2021 — State vs. Shakib Ali and others—

under Sections 147, 148, 149, 323, 325, 452, 504 and 506 IPC in the Court of Additional Chief Judicial Magistrate, Haridwar. On 10-12-2021

cognizance has been taken in the case.

2. Heard learned counsel for the parties through Video Conferencing and perused the record.

3. At the very outset, learned counsel for the petitioners did not press for quashing the charge-sheet. Learned counsel would submit that a direction be issued to the court below to decide the bail application of the petitioners, in view of the directions issued by the Hon'ble Supreme Court in the case

of Satendra Kumar Antil Vs. Central Bureau of Investigation and another, 2021 SCC On Line SC 922.

4. In the instant Case Crime No. 778 of 2021, under Sections 147, 148, 149, 323, 325, 504, 506 and 452 IPC was lodged at Police Station Kotwali

Laksar, against the petitioners and others.

5. In this matter, after investigation, charge sheet has been submitted. The Investigating Officer in the charge sheet has written that based on the

statement of the injured and witnesses as well as the doctors, the offences are proved. There appears to be no reason to quash the charge sheet. As

stated, in fact, it has even not been argued.

6. What is being argued is that the directions may be issued that the bail application of petitioner be decided in accordance with the directions of the

Honâ??ble Supreme Court in the case of Satendra Kumar Antil (supra).

7. In the case of Satendra Kumar Antil (supra), the Honâ??ble Supreme Court classified different cases for the purpose of bail and prescribed the

procedure for their disposal. This Court has no doubt that the court below shall follow the directions of Honâ??ble Supreme Court in the case of

Satendra Kumar (supra) while deciding the bail application of the petitioners.

8. With the above observations, the petition stands disposed of.

9. IA No.1 of 2021 also stands disposed of accordingly.