

**Court No. - 86**

**Case :-** APPLICATION U/S 482 No. - 9453 of 2022

**Applicant :-** Rahul Dinesh Vardhan And 2 Others

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

**Counsel for Applicant :-** Ajay Kumar Mishra, Anmol Ratan

**Counsel for Opposite Party :-** G.A

**Hon'ble Gautam Chowdhary, J.**

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

This application has been filed for quashing the entire proceedings in Case No. 2293 of 2021 (State versus Rahul Dinesh Vardhan and others) under Sections 498-A, 323, 504, 506 I.P.C. arising out of Case Crime No. 004 of 2021 Police Station-Mahila Thana, District-Hathras, alongwith N.B.W. order dated 23.03.2022, pending in the court of learned Civil Judge, Hathras.

On perusal of the record, the Court finds that the allegations made in the first information report disclose commission of a cognizable offence and those allegations have found support from the material collected during the course of investigation on the basis whereof the police has laid a charge sheet against the applicants.

At this Court, in exercise of its power under section 482 Cr.P.C., is not required to assess the correctness of the allegation and the reliability of the material collected during the course of investigation, the prayer to quash the charge sheet and the consequential proceeding is rejected.

At this stage, the learned counsel for the applicants submits that the applicants have so far not been arrested in the above case and the police is seeking to arrest the applicants and there may be coercive processes issued against the applicant by the court concerned therefore, some direction may be issued to the court concerned for consideration of the bail prayer of the applicants.

As the Apex Court in ***Satendra Kumar Antil Vs. Central Bureau of Investigation and another (Special Leave to Appeal (Crl.) No. 5191 of 2021, decided on 07.10.2021)*** has already laid down guidelines for grant of bail, without fettering the discretion of the courts concerned and the statutory provisions governing consideration in grant of bail, no specific direction need be issued by this Court as it is expected that the court concerned will take into consideration the necessary guidelines

already issued by the Apex court.

With the aforesaid observations, the application is **disposed off**.

**Order Date :- 29.4.2022**

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