

Court No. - 10

Case :- APPLICATION U/S 482 No. - 17724 of 2022

Applicant :- Santosh Maurya And 2 Others

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

Counsel for Applicant :- Sudarshan Singh

Counsel for Opposite Party :- G.A.

Hon'ble Rohit Ranjan Agarwal,J.

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

This application under Section 482 Cr.P.C. has been filed by the applicants to quash the summoning order dated 19.05.2022 passed by Special Judge, POCSO Act, Varanasi as well as entire proceedings of Criminal Case No. 586/2022 (State vs. Santosh Maurya and others), arising out of Case Crime No. 52/2021, under Sections 323, 504, 506, 452, 354-A, 354-B IPC and 7/8 POCSO Act, P.S. Jansa, District- Varanasi.

At the outset, learned counsel for the applicants gave up his challenge to the aforesaid impugned summoning order and impugned criminal proceedings against the applicants and confined his submission requesting to grant some protection to the applicants to surrender before the concerned court below. Learned counsel for the applicants further stated at the Bar that he is not pressing any other prayer made in this application on merits and prayed that a direction may be issued to the concerned court below to decide the bail application of the applicants expeditiously.

Learned A.G.A. for the State submits that in case the applicants are not pressing the relief as sought for by them on merits and want to surrender before the concerned court below, he has no objection in granting protection to him for a short period.

In view of above, the relief as sought by the applicants in the instant application is refused.

However, considering the aforesaid alternative prayer made by learned counsel for the applicants, it is directed that the applicants shall surrender before the concerned court below within two weeks from today and in case apply for bail, the bail application of the applicants shall be disposed of expeditiously by the court below in accordance with law and keeping in view the guidelines as laid down by the Apex Court in case of **Satender Kumar Antil vs. Central Bureau of Investigation**

and another, reported in **2021 SCC Online SC 922**.

For the period of two weeks from today or till the time of surrender of the applicants before the concerned court below, whichever is earlier, they shall not be arrested in the above case.

With the above observations and directions, this application under section 482 Cr.P.C. is disposed of.

Order Date :- 30.6.2022

V.S.Singh