

**Court No. - 12**

**Case :-** APPLICATION U/S 482 No. - 10787 of 2024

**Applicant :-** Ramesh Kumar Pandey

**Opposite Party :-** State Of U.P. Thru. Addl. Chief Secy. Home Deptt. Lko. And Another

**Counsel for Applicant :-** Ravindra Pandey

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

**Hon'ble Saurabh Lavania,J.**

Heard learned counsel for the applicant and learned AGA for the State as well as perused the record.

The present application has been filed for the following main relief:-

*"(i) quash the impugned order dated 24/09/2024 passed by Learned ACJM I, Ayodhya in Case Crime No. 526/2023, Under Section 279, 304A, 427 of I.P.C., (Now-281, 106, 324(4) BNS) Police Station- Poorakalander, District- Ayodhya, by means of which proclamation under section 82 of Cr.P.C. has been Issued against the petitioner on printed proforma without application of judicial mind, contained as Annexure No. 1, to this petition.*

*ii. quash the entire criminal proceeding of Case Crime No.- 526/2023, Under Section 279, 304A, 427 of I.P.C. (Now-281, 106, 324(4) BNS), Police Station- Poorakalander, District Ayodhya, instituted by opposite party no. 2, contained as Annexure No. 2, to this petition.*

*iii. stay the further proceeding of Case Crime No. 526/2023, Under Section 279, 304A, 427 of L.P.C. (Now-281, 106, 324(4) BNS), Police Station- Poorakalander, District Ayodhya, pending before Addl. Chief Judicial Magistrate I, Ayodhya and operation of the impugned order dated 24/09/2024, passed by Addl. Chief Judicial Magistrate- I, Ayodhya, contained as Annexure No. 1, to this petition."*

After arguing at some length, learned counsel for the applicant has submitted that liberty may be given to the applicant to file bail application before the trial court which may be decided in view of law laid down by Hon'ble Supreme Court in the case of **Satender Kumar Antil versus Central Bureau of Investigation and another, (2022) 10 S.C.R. 351: (2022) 10 SCC 51** as also to prefer a discharge application before the court below and the same may be decided expeditiously.

Learned AGA has no objection to the prayer made by learned counsel for the applicant.

Keeping in view the aforesaid, the present application is **disposed of** with liberty as prayed for and with a direction to the court below that if the applicants apply for bail before the Court concerned, his prayer for bail shall be considered and decided expeditiously in accordance with law.

Liberty is also granted to the applicant to move discharge application before the court below and the same shall be decided expeditiously in accordance with law.

Taking note of the facts of the case and also the observation made in the case of **Satendra Kumar Antil (Supra)**, this Court is of the view that it would be appropriate to observe that it is expected from the Police Officer concerned that for a period of 30 days from today or till the applicant applies for bail, whichever is earlier, he would not take any coercive action against the applicant in the aforesaid case.

With the aforesaid observations, the present application is **disposed of**.

**Order Date :-** 29.11.2024

Jyoti/-