

**Court No. - 50**

**Case :-** APPLICATION U/S 482 No. - 5267 of 2014

**Applicant :-** Pushpendra Singh And Another

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

**Counsel for Applicant :-** Aklank Jain

**Counsel for Opposite Party :-** Govt. Advocate

**Hon'ble Arvind Kumar Tripathi,J.**

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

This Crl. Misc. application under Section 482 Cr.P.C. has been filed for quashing of the proceeding of complaint case no.347 of 2013, under section 323, 504, 506 IPC pending in the court of A.C.J.M. IVth, Etawah and further prayer is to stay the proceeding of aforesaid complaint case.

Learned counsel for the applicants submitted that parties are related to each other and in counter blast on the basis of false allegation complaint was lodged hence entire proceeding is liable to be quashed.

Learned AGA opposed aforesaid prayer.

Considered the submission of counsel for the parties. In view of the allegation it requires appreciation of evidence hence at this stage no interference is required. The defence version of the applicant has to be examined by the trial court on the basis of evidence adduced by the parties concerned.

However, in view of the aforesaid facts, if the applicants appear before the courts below within 30 days from today and apply for bail, it is expected that the same will be considered and disposed off expeditiously, if possible on the same day in view of the principles laid down by Full Bench of this Court in case of Amarawati and another Vs. State of U.P., reported in 2004(57) ALR-390 and by the Apex Court in Lal Kamendra Pratap Singh v. State of U.P. reported in 2009 (4) SCC 437. If due to any reason the bail application could not be disposed off same day, the applicants may be released on interim bail till disposal of the bail application.

With these observations, the present application under Section 482 Cr.P.C. is hereby finally disposed off.

**Order Date :-** 19.2.2014

Pramod