

Court No. - 91

Case :- APPLICATION U/S 482 No. - 35843 of 2023

Applicant :- Akram @ Chhutan

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

Counsel for Applicant :- Punita Pandey, Shweta Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Gajendra Kumar, J.

1. Heard learned counsel for the applicant and the learned AGA appearing for the State.
2. The present application has been filed by the applicant under Section 482 Cr.P.C. with the prayer to quash the order dated 29.08.2023 in S.T. No.1149 of 2020, arising out of Case Crime No.657 of 2019, under Section 21/22 of N.D.P.S Act, P.S. Heempur Deepa, District Bijnor.
3. A perusal of the record reveals that the order was passed in accordance with law. Non-bailable warrant was issued when the applicant did not appear before the court concerned despite service of summon. Issuance of non-bailable warrant is within the jurisdiction of the court concerned.
4. Having regard to the facts and circumstances of the case and having considered the submissions made by the learned counsel for the parties, I am of the view that no case is made out to interfere with the impugned order. There is no infirmity or illegality in the said order. The prayer made in the application is refused.
5. Hence, it is directed that in case the applicant surrenders and applies for bail within three weeks from today, the same shall be considered and decided in view of the settled law. For a period of three weeks from today, effect and operation of the N.B.W. shall remain in abeyance.
6. It is made clear that no further time shall be allowed to the applicant to surrender before the court concerned.
7. With the above observations, the application stands **disposed of**.

Order Date :- 13.10.2023//Sanjeet