

**Court No. - 91**

**Case :-** APPLICATION U/S 482 No. - 39172 of 2023

**Applicant :-** Salman

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

**Counsel for Applicant :-** Sudhir Kumar Tiwari

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

**Hon'ble Gajendra Kumar,J.**

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

This application under Section 482 Cr.P.C. has been filed to quash the non-bailable warrant order dated 16.09.2022 as well as the entire proceeding of Criminal Case No. 3856 of 2019 (State vs. Salman), arising out of Case Crime No. 75 of 2019, under sections 3/5/8 of Cow Slaughter Act, P.S. Jasrathpur, District Etah, pending in the court of Judicial Magistrate, Etah.

The only submission raised by learned counsel for the applicants is that the court concerned vide order dated 16.09.2022 has issued non-bailable warrant for appearance of the applicants. Counsel for the applicants has urged that an opportunity be granted to the applicants to file an application for recall of the order issuing non-bailable warrant.

Learned AGA has no objection to the said prayer.

The prayer for quashing the entire proceeding of aforesaid criminal case is hereby refused.

However, it is provided that if the applicants file an application for recall of the order issuing non-bailable warrant/bail application within four weeks from today, the said application shall be considered by the court concerned and appropriate order shall be passed expeditiously.

For a period of four weeks, no coercive action shall be taken against the applicants.

In the event of failure, on the part of the applicants to act within time as directed above, the court concerned may adopt all coercive measures to ensure the appearance.

With the aforesaid observations, this application is finally disposed of.

**Order Date :-** 26.10.2023

v.k.updh.