Court No. - 89
Case :- APPLICATION U/S 482 No. - 40308 of 2023
Applicant :- Rachna
Opposite Party :- State of U.P. and Another
Counsel for Applicant :- Vidya Kant Tripathi,Samya Lal Pandey
Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicant, learned Additional Government Advocate for the State of U.P./opposite party no.1 and perused the record.

2. This application under Section 482 Cr.P.C. has been filed by the applicant to quash the charge sheet dated 08.01.2019; cognizance order dated 10.04.2019; non bailable warrant dated 18.12.2021 issued against the applicant and proceedings of Case No.159 of 2019 (State Vs. Rachna) Case Crime No.0301 of 2018 under Section 8/20 N.D.P.S. Act, P.S. Greater Noida, District Gautam Budh Nagar, pending in the court of A.D.J. IIIrd, Gautam Budh Nagar.

3. From the record, it transpires that on account of the failure of the applicant to appear before the court below, non-bailable warrant has been issued against the applicant by the court below vide order dated 18.12.2021.

4. Learned counsel for the applicant submits that interest of justice shall be served provided some protection is granted by this Court to enable the applicant to appear before the court below.

5. Considering the facts and circumstances of the case, it is provided that the applicant shall appear before the court concerned within three weeks from today and moves an application for recall of non bailable warrant, which shall be considered and disposed of expeditiously in accordance with law.

6. For a period of three weeks, the execution of non bailable warrant issued against the applicant shall remain stayed.

7. In case of default, the interim protection granted by this Court shall stand automatically vacated and the court below shall be free to proceed against the applicant in accordance with law.

8. With the aforesaid direction, the 482 application is finally disposed off.

Order Date :- 2.11.2023
Meenu Singh

Digitally signed by :-
MEENU SINGH
High Court of Judicature at Allahabad