

**Court No. - 89**

**Case :-** APPLICATION U/S 482 No. - 40825 of 2023

**Applicant :-** Nasir

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

**Counsel for Applicant :-** Mukesh Chandra Gupta, Shubham Prakash Gupta

**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 set aside the proceedings of Appeal No.32 of 2023, (Nasir versus State of U.P. and another), under Section 138 Negotiable Instruments Act, pending in the Court of Additional District and Sessions Judge, Court No.16, Meerut and also quash the order dated 17.01.2023 passed by the ACJM, Court No.5, Meerut, under Section 138 Negotiable Instruments Act in Complaint Case No.11566 of 2020, (Sabanaj versus Nasir), Police Station Kharkhauda, District Meerut.

3. Learned counsel for the applicant submits that NBW has been issued against the applicant in the aforesaid proceedings. At the outset learned counsel for the applicant gave up his aforesaid challenge and confined his submission requesting to grant some protection to the applicant to surrender before the concerned court below. The learned counsel for the applicant further stated at the Bar that he is not pressing any other prayer made in this application on merits and prayed that a direction may be issued to the concerned courts below to consider and decide the bail application of the applicant expeditiously.

4. Learned A.G.A. for the State of U.P. submits that in case the applicant is not pressing the relief as sought for by him on merits and wants to surrender before the concerned court below, he has no objection if the Court grants protection to him for a short period.

5. In view of the above, the relief as sought by the applicant in the instant application is refused.

6. However, considering the aforesaid alternative prayer made

by learned counsel for the applicant, it is directed that the applicant shall surrender before the concerned court below within two weeks from today and in case he applies for bail, the bail application of the applicant shall be disposed of expeditiously by the courts below in accordance with law.

7. For the period of two weeks from today or till the time of surrender of the applicant before the concerned Court below, whichever is earlier, non bailable warrant shall be kept in abeyance.

8. With the above observations and directions, this application under Section 482 Cr.P.C. is **disposed of**.

**Order Date :- 4.12.2023**

I.A.Siddiqui