

Court No. - 11

Case :- APPLICATION U/S 482 No. - 11957 of 2023

Applicant :- Keshv Bajpai

Opposite Party :- State Of U.P. Thru. Addil. Chief Secy. Deptt. Home Govt. Civil Sectr. Lko. And Another

Counsel for Applicant :- Vinay Kumar Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania,J.

Heard learned counsel for the petitioner/ applicant and learned AGA for the State as well as perused the record.

The present application under Section 482 Cr.P.C has been filed by the applicant with the prayer to quash the Non-Bailable Warrant order dated 12.10.2023 passed by the Civil Judge, Junior Division, Mahmoodabad, Sitapur, in Complaint Case No. 1519 of 2023 whereby the petitioner under Section 138 of Negotiable Instrument Act was summoned.

After arguing, at some length, learned counsel for the applicant has submitted that liberty may be given to the applicant for moving an appropriate application before the trial court in view of law laid down by Hon'ble Supreme Court in order dated 7.10.2021 passed in Petition for **Special Leave to Appeal (Cri) No.5191 of 2021 Satender Kumar Antil versus Central Bureau of Investigation and another** and for reasonable period some protection be provided.

Learned AGA has no objection to the prayer made by learned counsel for the applicant.

Considering the aforesaid, present petition is disposed of with liberty to applicant to prefer an appropriate application before the trial court including for recall of Non-Bailable Warrant Dated 12.10.2023 within a period of ten days, which shall be considered and decided by expeditiously.

For a period of ten days, no coercive action shall be taken against the applicant so far as the proceedings in issue are concerned.

With the aforesaid observations, the present petition is **disposed of.**

Order Date :- 8.12.2023

Vinay/-