Court No. - 14
Case :- APPLICATION U/S 482 No. - 10381 of 2024
Applicant :- Vikas @ Monu
Opposite Party :- Union Of India Thru. Ministry Of Home Affairs N. C. B. New Delhi And Another
Counsel for Applicant :- Triloki Nath Yadav
Counsel for Opposite Party :- Akhilesh Kumar Awasthi

Hon'ble Ajai Kumar Srivastava-I,J.

Heard Sri Triloki Nath Yadav, learned counsel for the applicant and Sri Akhilesh Kumar Awasthi, learned counsel for opposite party no.2/N.C.B.

The instant application under Section 482 Cr.P.C. has been filed by the applicant for quashing the impugned order dated 27.06.2024 passed in Complaint No.154 of 2023, under Sections 8/20/23/25/29 N.D.P.S. Act, 1985, Narcotics Control Bureau Crime No.08/2023, Police Station N.C.B., Lucknow, District Bahraich.

Learned counsel for the applicant has submitted that he confines his prayer only to the fact that the applicant, being an employee posted in District Haridwar, Uttarakhand, could not appear before the authorities concerned pursuant to the notices issued to him.

Learned counsel for N.C.B. has drawn attention of this Court to the fact that earlier notices dated 23.08.2023, 05.09.2023 and 18.09.2023 were issued to the present applicant, who, despite service of the aforesaid notice, failed to appear without any just cause. He, thus, submits that no

interference with the impugned order and proceedings is warranted at this stage and, therefore, the application is misconceived and is liable to be dismissed.

Having heard learned counsel for the applicant, learned counsel for opposite party no.2/N.C.B. and upon perusal of the records, this Court does not find any illegality, impropriety and incorrectness in the impugned order dated 27.06.2024. There is no abuse of court's process either.

However, it is provided that in case, the applicant appears before the authority concerned within 10 days from today positively in person, the process issued against him shall be kept in abeyance.

In view of the aforesaid observation, the instant application is finally **disposed of.**

It is made clear that in case, the applicant fails to appear before the authority concerned within the aforesaid period, the interim protection granted hereinabove shall automatically stand vacated without any further reference to this Court and the process, which has already been issued against the applicant, shall be given effect to in accordance with law.

(Ajai Kumar Srivastava-I, J.)

Order Date :- 19.11.2024
A.Dewal

Digitally signed by :-
ASHISH DEWAL
High Court of Judicature at Allahabad,
Lucknow Bench