

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRL.P.NO.9573 OF 2016

ORDER

This criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in S.C.No.65/2014 on the file of VII Additional District Judge – cum – SC, ST Court at L.B.Nagar, Rangareddy District, registered against the petitioners, who are A-3 and A-4, for the offence punishable under Sections 417, 420, 376, 323 read with 34 IPC and 3(1)(x) of S.C., S.T. (POT) Act.

Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State.

Though the petition has been filed for quashing the proceedings in S.C.No.65/2014, the learned counsel for the petitioners confined to the relief of recalling the NBWs issued against the petitioners. The learned counsel for the petitioners submitted that without affording the petitioners an opportunity to appear before the trial court, they were shown as absconding and hence the trial court issued N.B.Ws. and hence the same may be recalled.

In the facts and circumstances of the case and the submissions of the learned counsel for the petitioners and the learned Additional Public Prosecutor, and having perused the material available on record, the criminal petition is disposed of directing the petitioners – accused Nos.3 and 4 to approach the trial court and file a petition under Section 70(2) of Cr.P.C. to recall warrants issued against them and on such petition being filed, the trial court shall dispose of the said petition on the same day on which it is filed on reasonable terms, in accordance with law. For one month from today, or it is recalled, the petitioners/ A-3 and A-4, shall not be arrested in execution of warrant issued in S.C.No.65/2014 on the file of District Judge – cum-SC, ST Court at L.B.Nagar, Rangareddy District, Hyderabad. Miscellaneous petitions pending if any, shall stand closed. No costs.

M.S.K.JAISWAL,J

DATE:04.07.2016