

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46030 of 2016

ORDER:

This writ petition is filed by the petitioners to call for the records, relating to FIR No.372 of 2010 on the file of the Station House officer, Banjara Hills Police Station, Hyderabad, and the consequential charge sheet bearing CC No.459 of 2010 on the file of the III-Additional Chief Metropolitan Magistrate, Hyderabad, and quash the same.

On the basis of the complaint lodged by the 3rd respondent, Crime No.372 of 2010 was registered against the petitioners for the offences under Sections 498-A and 506 r/w.34 IPC and 3 & 4 of the Dowry Prohibition Act, before the Banjara Hills Police Station, Hyderabad. After completion of investigation, the police filed charge sheet, which was numbered as CC No.459 of 2010 on the file of the III-Additional Chief Metropolitan Magistrate, Hyderabad. Challenging the above charge sheet, the present writ petition is filed.

After perusing the record, this Court is not inclined to grant the relief sought for by the petitioners. At this stage, learned counsel for the petitioners submitted that in the charge sheet filed before the Court below, the petitioners were shown as absconding and therefore, the Court below issued NBWs against the petitioners, and hence, he requested to recall the NBWs pending against the petitioners.

Having heard the learned counsel for the petitioners and the learned counsel Assistant Government Pleader for Home, and having perused the material available on record, this Court is of the view that the writ petition can be disposed of with the following directions:

The petitioners are directed to appear before the Court concerned and file a petition to recall the warrants issued against them, and on such petition being filed, the Court concerned is directed to recall the warrants pending against the petitioners, on the same day on their execution of bond for a sum of Rs.5,000/- (Rupees ten thousand only) each with one surety for a like sum each. Further the petitioners are directed to appear before the Court concerned, regularly on all hearing dates.

With the above directions, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

December 28, 2016.
KTL



RAJA ELANGO, J