

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 11417 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the Lookout Circular issued against the petitioner in C.C.No.89 of 2016 on the file of the learned XIII Additional Chief Metropolitan Magistrate, at Hyderabad.

The petitioner herein is Accused No.1 in the aforesaid Crime and he is having disputes with second respondent, who is his wife. The second respondent lodged a complaint against the petitioner for the offence punishable under Sections 406 and 498-A IPC read with Sections 4 & 6 of the Dowry Prohibition Act and the same was registered as Crime No. 03 of 2015. Subsequently, the police filed charge sheet and the same was numbered as CC No. 89 of 2016 on the file of the learned XIII Additional Chief Metropolitan Magistrate, Hyderabad, wherein non-bailable arrest warrant was issued against the petitioner. On knowing the same, the petitioner earlier approached this Court by filing Criminal Petition No. 7913 of 2016, which was disposed of by order dated 15.6.2016 directing the petitioner to appear before the Court below and file an application on or before 14.08.2016 seeking to recall NBWs issued against him and on filing such application, the Court below was directed to recall NBWs issued against the petitioner on the same day on his executing a personal bond for a sum of Rs.10,000/- with one surety for the like sum to the satisfaction of the Court below. Further the petitioner was directed to appear before the Court below on all hearing dates. It is submitted that when the petitioner has made all arrangement to come to India from Saudi

to comply with the aforesaid order before the due date, the Court below issued Lookout circular against the petitioner. In that view of the matter, the Lookout circular issued by the Court below against the petitioner requires to be stayed in order to facilitate the petitioner to comply with the order of this Court dated 15.6.2016 passed in CrI.P.No. 7913 of 2016 before the time stipulated therein.

Accordingly the Lookout circular issued by the Court below against the petitioner in CC.No. 89 of 2016 is stayed and the petitioner is permitted to comply with the order of this Court in Criminal Petition No. 7913 of 2016, dated 15.6.2016 before the time stipulated therein.

The Criminal petition is accordingly disposed of. Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence. No order as to costs.

JUSTICE M.S.K. JAISWAL

DATED 4th AUGUST, 2016.

Note: CC by tomorrow

(BO) Msnr_x