

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

CRIMINAL PETITION No.7473 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed by the petitioners/A5 to A8 seeking to quash the proceedings in C.C.No.851 of 2015 on the file of II Additional Judicial First Class Magistrate at Khammam, registered for the offence punishable under Section 420 IPC, against them.

2. Heard and perused the material on record.

3. It is alleged in the charge sheet the de facto complainant had purchased lands from the accused and paid a sum of Rs.1 crore to the accused towards part consideration and even though he was willing to pay the remaining amount, the accused are evading the registration and on the other hand, they abused him in filthy language and threatened him with dire consequences.

4. Learned counsel for the petitioners/A5 to A8 submits that since NBWs are pending against the petitioners from the date filing of the charge sheet, the same may be recalled.

5. In view of the allegations in the charge sheet, this is not a fit case where the proceedings against them can be quashed. Issuance of NBW is to secure the attendance of the petitioners before the trial Court. As the petitioners expressed their willingness to appear before the trial Court regularly, the NBWs issued against them can be recalled.

6. The Criminal Petition is disposed of, with the following direction;

The petitioners/A5 to A8 are directed to appear before the trial Court within 10 days from today and file an application under Section 70(2) Cr.P.C., for recalling of NBWs pending against them. On filing such an application, the trial Court shall consider the same on usual terms in accordance with law. Till such time, the warrants issued

against the petitioners are hereby suspended. The petitioners herein are further directed to appear before the trial Court on each and every date of adjournment.

Miscellaneous petitions, if any, pending in this petition shall stand disposed of.

M.S.K.JAISWAL,J

6th June, 2016

Note:

Issue CC tomorrow

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