

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

CRL.P.NO.9921 OF 2016

O R D E R

This criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings C.C.No.514/2014 on the file of Judicial First Class Magistrate, Huzurnagar, Nalgonda District at Huzurnagar, registered against the petitioner/A-22, for the alleged offence punishable under Sections 406, 408, 409, 420, 477(A), 120(B) IPC.

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

The learned counsel for the petitioner submitted that the petitioner is shown as accused No.22 in the charge sheet filed and that the other accused Nos.8 to 10, 12 to 18 and 21 were discharged by the trial court in CrI.M.P.No.2654/2014 in C.C.No.514/2014 dated 20.11.2014 and CrI.M.P.No.11/2015 in C.C.No.514/2014 dated 13.1.2015. He submitted that the petitioner presently residing at Vijayanagaram and is not aware of the criminal proceedings, but she was shown as absconding and non-bailable warrant was issued. He stated that the petitioner is also similar situated with that of the accused who were discharged by the trial and therefore, sought to discharge the petitioner from the criminal proceedings.

Having regard to the facts and circumstances and the above submissions of the learned counsel for the petitioner, the criminal petition is disposed of directing the petitioner to approach the trial court within a period of four weeks from today and shall file a petition to recall the warrant and on the same day of filing of the petition, the learned Magistrate shall consider the same on usual terms and till then, the petitioner shall not be arrested in execution of the warrant in C.C.No.514/2014. The petitioner is also liberty to file a petition under Section 239 of Cr.P.C. for discharge and the learned Magistrate shall consider the same on merits and pass appropriate orders in accordance with law.

Miscellaneous petitions pending if any, shall stand closed. No costs.

M.S.K.JAISWAL,J

DATE:12.07.2016

AVS

Note: Issue C.C. by tomorrow.

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