

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45324 OF 2016

ORDER:

1. This petition is filed by the petitioner under Article 226 of the Constitution of India, challenging the execution of NBWs issued against her in C.C.No.323 of 2015 on the file of the I Special Magistrate, Cyberabad at Kukatpally.

2. Heard and perused the material available on record.

3. The petitioner is alleged to have committed the offence punishable under Section 138 of the Negotiable Instruments Act. When the above C.C. was posted for judgment, the petitioner did not appear before the trial Court, and the application filed on behalf of the petitioner for dispensing with her presence was dismissed and NBWs were issued against her. Challenging the same, the petitioner filed this petition.

4. Considering the facts and circumstances of the case, this Court is inclined to pass the following order:

“The petitioner is directed to surrender before the Court concerned and move an application seeking to recall NBWs issued against her. On such surrender and on such application being filed, the Court concerned is directed to recall NBWs issued against the petitioner on the same day on condition of her executing a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety for the like sum to the satisfaction of the Court concerned.”

5. Accordingly, the Writ Petition is disposed of. Consequently, the miscellaneous petitions pending in this petition, if any, shall stand closed.

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JUSTICE RAJA ELANGO

Date : 26.12.2016

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DATED 26.12.2016

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