

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42321 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to quash the proceedings in C.C.No.630 of 2004 on the file of the Judicial First Class Magistrate, Kodad, Nalgonda District against the petitioner/A-2.

2. Heard and perused the material available on record.

3. Case of the petitioner is that respondent No.3 filed a false complaint against him before respondent No.2 and the same was registered as Crime No.84 of 2004 on the file of Munagala Police Station, Nalgonda District for the offences punishable under Sections 411, 414, 417, 418 and 420 I.P.C. and the same was later numbered as C.C.No.630 of 2004 on the file of the Judicial First Class Magistrate, Kodad, Nalgonda District; that the complaint does not contain any incriminating material; that he never did any criminal activities and hence, prays to quash the proceedings in C.C.No.630 of 2004.

4. After arguing for some time, learned counsel for the petitioner submitted before this Court that N.B.Ws are pending against the petitioner; that the petitioner is ready to face the trial and he will not flee from the hands of justice and hence, the N.B.Ws pending against the petitioner may be recalled.

5. Having heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home and having perused the material available on record, the petitioner/A-2 is

directed to approach the Court concerned on or before 29.12.2016 and file a petition to recall the warrant issued against him and on such petition being filed, the Court concerned shall recall the warrant on the same day on his execution of a bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum and the petitioner shall appear before the trial Court regularly. Further, in view of the fact that the petitioner informed this Court that the matter is settled out of Court between him and respondent No.3, if the petitioner and respondent No.3 file an application before the trial Court praying to compound the offences, the trial Court shall allow the same and permit them to compound the offences.

6. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

6.12.2016
AMD

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Date: 6.12.2016

AMD