

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5540 OF 2016

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ORDER:
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This petition is filed by the petitioner-A2 under Section 482 Cr.P.C. seeking to quash the proceedings against him in C.C.No.55 of 2014 on the file of the XVI Additional Chief Metropolitan Magistrate, Hyderabad.

Heard and perused the material available on record.

The petitioner is alleged to have committed the offence punishable under Sections 448, 427 and 324 r/w 34 IPC. It is alleged that A1's brother-in-law by name Arbaz entered into the house of the 2nd respondent-Jaweed Hussain to take cricket ball. While taking the ball, Arbaz quarrelled with one Junaid and slapped him. Then Jaweed Hussain separated them and sent Arbaz out of his house. While leaving the place, Arbaz abused Jaweed Hussain in filthy language and went away, and he informed the same to A1, for which A1 got furious and came to the house of P.W.1 along with A2 and kicked the doors, abused Jaweed Hussain in filthy language and A1 beat him with a wooden stick and A2 beat with hand.

Considering the facts and circumstances of the case and the allegations made against the petitioner, this Court is not inclined to grant the relief sought by the petitioner.

At this stage, the learned Counsel for the petitioner submitted that NBWs were issued against the petitioner and the same may be recalled.

In view of the above submission, this Court is inclined to pass the following order:

“The petitioner is directed to surrender before the trial Court and move an application seeking to recall NBWs issued against him. On such application being filed, the

trial Court is directed to consider the same and recall NBWs issued against the petitioner on the same day and release him on bail on his 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 trial Court. The petitioner is directed to appear before the trial Court on all hearing dates.”

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 19.4.2016

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DATED 19.4.2016

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