

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40930 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the action of the respondents in obtaining Non Bailable Warrants (NBWs) issued against the petitioners contrary to the stay orders in Crl.P.Nos.4205 and 4289 of 2013 and further not recalling their orders communicated to Passport Authorities, CBI, Interpol, Indian Consulates in US and US Immigration Departments against the petitioners herein as arbitrary and violative of Article 21 of the Constitution of India.

Heard and perused the material.

Learned counsel for the petitioners submits that the petitioners apprehend arrest in view of the NBWs issued by the learned XIII Additional Metropolitan Magistrate, Hyderabad. The petitioners earlier approached this Court and this Court stayed all further proceedings. While pendency of the same, the learned XIII Additional Metropolitan Magistrate, Hyderabad, issued NBWs against the petitioner and when the petitioners approached for recall of the NBWs, the same is rejected by the learned Judge on the ground that the stay is granted by this Court. Hence, the petitioners approaches this Court by filing the present writ petition under Article 226 of the Constitution of India.

Considering the facts and circumstances of the case, the NBWs issued by the learned XIII Additional Metropolitan Magistrate, Hyderabad, is hereby recalled. The second respondent is directed to recall the letters issued to the various Authorities on the basis of the NBWs issued against the petitioners herein.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

25.11.2016
pln