

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.9299 of 2016

ORDER:

This Criminal Petition, under Section 438 Cr.P.C., is filed by the petitioner-A1, seeking to grant anticipatory bail in connection with execution of NBW issued against the petitioner in CC No.895 of 2010 on the file of IX Metropolitan Magistrate, Kukatpally at Miyapur, Ranga Reddy District, arising out of Crime No.501 of 2006 of Madhapur Police Station, Cyberabad, registered for the offences punishable under Sections 447, 468, 471, 420 and 201 IPC.

Heard and perused the material available on record.

The case of the prosecution is that the petitioner and other accused trespassed into the property of the de facto complainant with forged link documents and trying to establish their ownership. Therefore, the de facto complainant lodged a complaint against the petitioner and other accused and the police after completion of investigation filed charge sheet showing the petitioner as absconding and the Court below has issued NBW against the petitioner.

Learned counsel for the petitioner submitted that the present case arises out of civil disputes between the parties and that the petitioner has no knowledge about filing of charge sheet and issuance of NBW against him and no summons were served upon him and he has no intention to avoid the criminal proceedings and the petitioner is ready to face the trial and hence, the NBW pending against him, may be recalled.

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 file an application for recalling the NBW pending

against him and on filing of such application, the Court concerned is directed to recall the NBW, on petitioner executing a personal bond for a sum of Rs.50,000/- (Rupees fifty thousand only) with one surety for the like sum. Further, the petitioner is directed to appear before the Court concerned regularly.

Accordingly, the Criminal Petition is disposed of.
Miscellaneous petitions, if any, shall stand closed.

RAJA ELANGO, J

July 11, 2016.

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