

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 14323 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to recall the non bailable warrant issued against the petitioner by the learned Family Judge, Family Court, Vijayawada, Krishna District through order dated 12.08.2016 in CrI.M.P.No.715 of 2016 in M.C.No. 293 of 2015.

Having heard the learned Counsel on either side and gone through the material on record, it is obvious that the petitioner suffered an order passed by the Court below in M.C.No. 293 of 2014 on 21.02.2015 wherein the petitioner was directed to pay maintenance of Rs.5000/- per month to the first respondent from the date of the said order. When the petitioner failed to comply with the said order, the first respondent filed CrI.M.P.No.715 of 2016 for recovery of arrears of maintenance, where in, the Court below issued non-bailable warrant against the petitioner.

The petitioner, instead of filing appropriate application before the Court below for recall of the non-bailable Warrant issued against him, directly approached this Court invoking jurisdiction of this Court under Section 482 Cr.P.C., which cannot be entertained. In the circumstances, the petitioner is given liberty to file appropriate application before the Court below for recall of

NBW issued against him, which shall be considered and disposed of on reasonable terms.

Subject to the above, the Criminal Petition is disposed of. Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence. No order as to costs.

JUSTICE M.S.K. JAISWAL

DATED 13th October, 2016.
Msnr_x

