

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44645 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to quash the proceedings against him in FIR No.33 of 2016 on the file of Subedari Police Station, Hanamkonda, Warangal District.
2. Heard and perused the material available on record.
3. It is stated that the investigation was completed and the police filed the charge sheet in the above crime against the petitioner and the IV Additional Judicial First Class Magistrate, Warangal, took cognizance of the case on file as PRC No.26 of 2016 for the offence under Sections 498-A, 304-B, 506 IPC and Section 4 of the Dowry Prohibition Act, and issued NBWs against the petitioner.
4. Considering the facts and circumstances of the case and the stage of the proceedings against the petitioner, this Court is not inclined to interfere with the proceedings against the petitioner. At this stage, the learned Counsel for the petitioner submitted that NBWs issued against the petitioner may be recalled.
5. In view of the above submission, this Court is inclined to pass the following order:

“The petitioner is directed to surrender before the IV Additional Judicial First Class Magistrate, Warangal and file an application seeking to recall NBWs issued against him. On such surrender and on such application being filed, the learned Magistrate is directed to recall NBWs issued against the petitioner on the same day and release him 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

learned Magistrate. The petitioner is directed to appear before the Magistrate concerned on all hearing dates.”

6. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 21st December, 2016
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