

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.8591 of 2017

ORDER.

In this petition filed under Section 482 Cr.P.C., the petitioner/A-1 seeks for quashment of proceedings against him in C.C.No.231 of 2015 on the file of XV Additional Chief Metropolitan Magistrate, Hyderabad.

The submission of the learned counsel for the petitioner is that the petitioner/A.1 is now in California, State of America and the defacto complainant who is the wife filed the present case only on the ground A.1 did not take her and her daughter to America.

Learned counsel would submit that A.1 went to America, only in 2015 and he could not secure VISA for the complainant and her daughter since the VISA Rules became stringent due to change in policy of the U.S.A. Government and there is no fault in him. He would come to India to resolve the matter amicably. On these submissions, the learned counsel would submit that he is not pressing for quashment proceedings but time may be given to the petitioner-A.1 to come to India and attend before the concerned court and in the meanwhile, his arrest may not be effected.

Learned Additional Public Prosecutor left the matter to the discretion of the court.

Having regard to the fact that it is a matrimonial case, the petitioner/A.1 is directed to attend before the trial court on or before 7<sup>th</sup> December, 2017 and participate in the proceedings. Till then, no warrant of arrest shall be issued against him.

This Criminal Petition is disposed of accordingly.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

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U.DURGA PRASAD RAO,J

Dated 19-9-2017.

Note:

Issue C.C.by today i.e., 19<sup>th</sup> September,2017.

Office is directed to send a copy of order to the concerned court.

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Dvs

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