

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.5239 OF 2017

ORDER:

1 This petition is filed under Section 482 Cr.P.C to quash the proceedings against the petitioner in C.C.No.228 of 2014 on the file of the Court of the Special Judicial First Class Magistrate for Excise, Visakhapatnam.

2 A perusal of the record reveals that the petitioner is facing trial in C.C.No.228 of 2014 on the file of the Court of the Special Judicial First Class Magistrate for Excise, Visakhapatnam for the offence punishable under Section 138 of N.I. Act. A perusal of the record further reveals that the trial court issued NBW against the petitioner on 16.01.2017.

3 The only relief sought for by the learned counsel for the petitioner is that the trial court may be directed to dispose of the petition, if any, filed by the petitioner under Section 70 (2) Cr.P.C. on the same day.

4 Having regard to the facts and circumstances of the case, the trial court is hereby directed to dispose of the petition, if any, filed by the petitioner under Section 70 (2) Cr.P.C. seeking to recall of the NBW issued against him on 16.01.2017 on the same day and in accordance with law.

5 With the above direction, the Criminal Petition is disposed of. Consequently, Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

T. SUNIL CHOWDARY, J

Date: 5th July, 2017
Kvsn