

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.959 of 2017

ORDER :

The present petition is filed under Section 482 of the Code of Criminal Procedure requesting to quash the order dated 23.12.2016 in C.C.No.220 of 2016 passed by the Special Judge for Economic Offences at Hyderabad.

Petitioner herein is A-2, whereas respondent No.1, the Registrar of Companies, is the complainant in the aforesaid Calender Case.

By the aforesaid order, the learned Special Judge, while adjourning the matter to 18.01.2017, directed the petitioner herein, who has been representing respondent No.3 herein, to execute personal bond for Rs.20,000/- with one surety for like sum on that day. The main grievance of the petitioner is with regard to the direction of furnishing one surety for Rs.20,000/-.

Learned counsel for the petitioner submits that the learned Special Judge ought not to have directed the petitioner to furnish one surety for Rs.20,000/-. Learned counsel also represents that there are altogether 15 matters where such orders have been passed and they are causing hardship to the petitioner and the Company, which the petitioner is representing, is at winding up stage.

Admittedly, no notice was given to respondent No.1-Registrar of Companies either by the Court below or by this Court. Of course, it would not cause any prejudice to respondent No.1, as issuance of notice relates to exercise of discretion of the Court.

Keeping in view, the submissions made by the learned counsel for the petitioner, it is desirable to reduce the amount of Rs.20,000/- to that of Rs.10,000/- so far as furnishing security is concerned, whereas the order as regards execution of personal bond for Rs.20,000/- by the petitioner, needs no interference.

Subject to the above modification, the Criminal Petition is dismissed at admission stage itself.

Miscellaneous Petitions, if any, pending in this petition, shall stand closed.

A. SHANKAR NARAYANA, J

6th February 2017.

mar

