

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.813 of 2017

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in C.C.No.392 of 2016 on the file of the XXIV Special Magistrate, Hyderabad.
2. Heard and perused the material available on record.
3. The petitioners are alleged to have committed the offences punishable under Sections 138 and 142 of the Negotiable Instruments Act. Since the above case has arisen out of the transaction between the individuals, this Court is not inclined to interfere with the proceedings in the above C.C. At this stage, the learned Counsel for the petitioners submitted that NBWs were issued against the petitioners and the same may be recalled.
4. In view of the above submission, this Court is inclined to pass the following order:

“The petitioners are directed to surrender before the XXIV Special Magistrate, Hyderabad and file an application seeking to recall NBWs issued against them. On such surrender and on such application being filed, the learned Magistrate is directed to recall NBWs issued against the petitioners on the same day and release them on each of them executing a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety each for the like sum each to the satisfaction of the learned Magistrate. The petitioners are

directed to appear before the learned Magistrate on all hearing dates in the above C.C.”

5. 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: 5th January, 2017
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