

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION Nos.6829 AND 6895 OF 2017

COMMON ORDER:

Heard learned counsel for the petitioners in C.C.No.366 of 2017, covered by CrI.P.No.6829 of 2017, before ordering notice to the 2nd respondent – defacto complainant and also heard the learned public prosecutor, representing 1st respondent - State, impugning the docket order dated 31.05.2017, for the absence of the 2nd accused, petitioner with no representation from advocate, NBW issued and it is the submission that the said NBW still pending and not yet executed and also heard the petitioner/sole accused, no other than A2 of C.C.No.366 of 2017, being the petitioner in CrI.P.No.6895 of 2017, before ordering notice to the 2nd respondent – defacto complainant and also heard the public prosecutor representing the 1st respondent – State and the petition is impugning the docket order dated 29.06.2017, for the absence of the sole accused, petition under Section 317 Cr.P.C. filed was dismissed and NBW issued. It is also the submission that the NBW is not yet executed.

2. Having regard to the above, both these petitions are disposed of, giving liberty to the petitioners to personally appear before the lower court by filing recall applications respectively under Section 70(2) Cr.P.C., for the learned

Magistrate to hear and dispose of on the same date. It is also made clear that the NBWs issued against the petitioners shall not be executed for a period of three weeks.

3. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

07.08.2017
SS

