

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.575 of 2017

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the warrant issued against the petitioner and the coercive measures of the 3rd respondent to apprehend the petitioner against the pending NBWs in CC No.258 of 2011 on the file of the XVII Metropolitan Magistrate, Cyberabad at Rajendranagar, as illegal and arbitrary and consequently, to recall the NBWs pending against the petitioner.

Heard and perused the material available on record.

On the basis of a private complaint lodged by the 4th respondent, the 3rd respondent registered a case in Crime No.1017 of 2008 for the offences under Sections 500, 464 and 465 r/w.34 IPC against the petitioner and others. After completion of investigation, the police filed charge sheet before the Court concerned, showing the petitioner as absconding. Therefore, the Court below issued NBWs against the petitioner.

The case of the petitioner is that she has no knowledge about the date of adjournment before the Court below, that now she is ready to appear before the Court below, that the police are trying to arrest her in view of pendency of NBWs, and hence, she requested to recall the warrants pending against her.

Considering the circumstances of the case and the grievance of the petitioner, this Court is inclined to pass the following order:

The petitioner is directed to appear the Court concerned and file an application for recalling the NBWs pending against her and on such application being filed, the Court concerned is directed to recall the NBWs pending against the petitioner on the same day, on petitioner executing a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum and further the petitioner is directed to appear before the trial Court regularly on all hearing dates.

Accordingly, the writ petition is disposed of. No order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

January 05, 2017.
KTL

RAJA ELANGO, J

