

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2559 OF 2017

ORDER:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Code'), is filed requesting to recall the non-bailable warrant issued by order, dated 27.02.2017, in CrI.M.P.No.2028 of 2016 in M.C.No.13 of 2012 on the file of Judicial Magistrate of First Class, Rayadurg, Anantapur District.

2. The said non-bailable warrant was issued in a petition filed under Section 128 of the Code by respondent Nos.1 to 3, who are the wife and children of the petitioner herein.

3. Learned counsel for the petitioner would submit that the matter has been referred to Lok Adalat and certain amount said to have paid to respondent No.1 - wife by the petitioner towards the maintenance of children. But, they are all the subject matters to be decided in the revision petition pending before the Sessions Court at Anantapur.

4. Learned counsel for the petitioner now restricts the request to the extent of directing the learned Magistrate to dispose of the petition that would be filed by the petitioner for recall of non-bailable warrant issued against him on the same day.

5. Be that as it may, the request appears to be reasonable. Therefore, in case, the petitioner herein files an application to recall the non-bailable warrant issued against him pursuant to the order under challenge, dated 27.02.2017, the learned Judicial Magistrate of First Class, Rayadurg, Anantapur District, is directed to dispose of the said application on the same day in accordance with law.

6. With the above direction, the present Criminal Petition is dismissed. Miscellaneous Petitions, if any, pending in this Criminal Petition, shall stand closed.

March 28, 2017.
MD

A. SHANKAR NARAYANA, J

