

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

CRIMINAL Revision Case No. 1490 OF 2017

ORDER:

This Criminal Revision Case, under Sections 397 and 401 of the Code of Criminal Procedure, 1973, is filed by the petitioner being aggrieved of the fact that the learned XIV Special Magistrate, Erramanzil Courts Complex, Hyderabad, is adjourning the CrI.M.P.No.903 of 2017 in C.C. No. 58 of 2017 filed for recalling of the N.B.W., issued against the petitioner/accused without disposing of the same despite the learned counsel for the petitioner reporting ready for hearing of the said application.

2. I have heard the submissions of the learned counsel appearing for the petitioner and learned Public Prosecutor representing the State of Telangana.

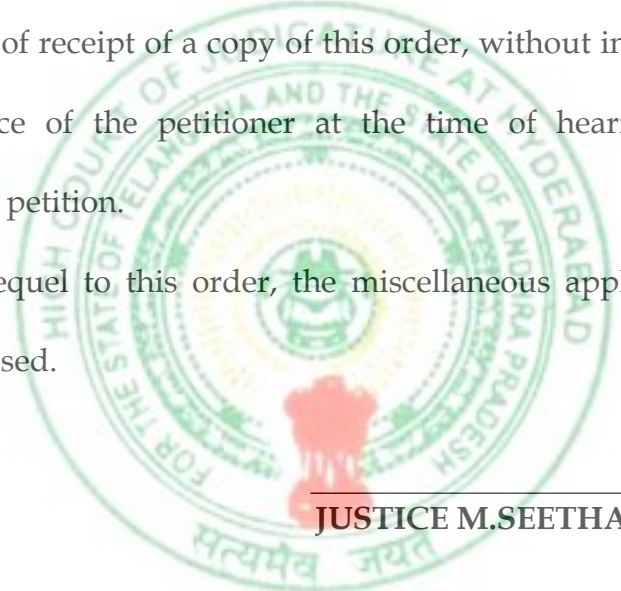
3. I have perused the material record.

4. Learned counsel for the petitioner, while submitting that the petitioner's petition filed for recalling N.B.W. on 18.04.2017 is not being disposed of by the trial Court, would further submit that there are a catena of decisions in support of the proposition that the presence of the petitioner before the trial Court is not necessary at the hearing of the petition filed for recalling of the NBW and prays for granting appropriate orders.

5. Having regard to the facts and submissions, this court is of the considered view that this revision can be disposed of at the stage of admission.

6. In the result, the Criminal Revision Case is allowed and while directing the N.B.W., issued against the petitioner/accused to be kept in abeyance till the disposal of CrI.M.P.no.903 of 2017 in C.C.No.58 of 2017, the learned XIV Special Magistrate, Erramanzil Courts Complex, Hyderabad, is directed to dispose of the said miscellaneous petition, as expeditiously as possible and preferably within a period of one month from the date of receipt of a copy of this order, without insisting upon for the appearance of the petitioner at the time of hearing of the said miscellaneous petition.

As a sequel to this order, the miscellaneous applications, if any, shall stand closed.



JUSTICE M.SEETHARAMA MURTI

June 9, 2017

Note:-

Furnish copy by 12.06.2017.

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LMV