

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.11232 OF 2017

ORDER:

This criminal petition is filed under Section 482 of Criminal Procedure Code (for short "Cr.P.C.") to quash the proceedings in C.C.No.671 of 2012 on the file of IV Additional Junior Civil Judge, Guntur.

Learned counsel for the petitioner contended that instead of issuing summons after taking cognizance of the offence against the petitioner under Sections 447 and 506 of I.P.C. based on protest petition filed by the respondent No.2, the Court below issued N.B.W.

The main contention of the learned counsel for the petitioner before this Court is that the issue of N.B.W. is against the purport of Section 204 of Cr.P.C.

Taking into consideration of the facts and circumstances of the case, N.B.W. issued against the petitioner shall be treated as summons and the petitioner is directed to appear before the Court concerned on the date of adjournment. If for any reason, the petitioner did not appear before the Court concerned on the date of adjournment, the Court below shall proceed against the petitioner in accordance with law.

With the above direction, without touching the merits of the case, the petition is disposed of. No costs.

Consequently, miscellaneous petitions pending, if any, shall also stand dismissed.

JUSTICE M. SATYANARAYANA MURTHY

21.11.2017
Ksp