

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

Crl.P.No.11926 of 2017

ORDER

This petition is filed under Section 482 of Cr.P.C., to quash the order dated 30.10.2017 passed in C.C.No.521 of 2015 by the II Additional Judicial Magistrate of First Class, Huzurabad, whereby the petition filed under Section 70(2) of Cr.P.C. was dismissed and declined to recall the warrant issued by the Court against the petitioner/accused.

2. The sole reason for dismissal of the petition is that this Court passed an order dated 03.10.2017 in Crl.P.No.9137 of 2017 directing the petitioner to settle the dispute within 30 days and till such time, the petitioner cannot be arrested and that the petition is premature and the petitioner is at liberty to file fresh petition after 03.11.2017.

3. It is evident from the order dated 03.10.2017 in Crl.P.No.9137 of 2017, a direction was issued by this Court that the petitioner cannot be arrested for a period of 30 days from the date of the order i.e., 03.10.2017 since the petitioner represented that the matter is likely to be compounded. The trial Court dismissed the petition on the ground that it is premature. But, as the time granted by this Court in Crl.P.No.9137 of 2017 is expired, the petitioner is directed to file appropriate application before the trial Court on appearance and on filing such application, the trial Court is directed to dispose of the same on the same day, if it is filed after serving notice on the respondent.

4. With the above direction, the Criminal Petition is disposed of.

5. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M. SATYANARAYANA MURTHY, J

5th December, 2017

sj

