

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.120 of 2018

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. to call for the records in C.C.No.510 of 2016 on the file of the Court of Judicial Magistrate of First Class (Special Mobile Court) at Nalgonda and to recall Non-Bailable Warrants (N.B.Ws.) issued on 01.12.2017 and to quash the condition of deposit of the petitioner's passport imposed in docket proceedings, dated 28.11.2017, by accepting the petitioner to be represented by the Special Vakalat holder.

2. Heard learned counsel for the petitioner and learned Public Prosecutor and perused the record.

3. It is contended before this Court that the petitioner has been working at Kuwait country; that now and then he used to visit India; that disputes arose between himself and respondent No.2, who is none other than the father of the petitioner, in respect of one money transaction, which resulted in registration of the aforementioned C.C. against the petitioner, which is now pending for appearance of the petitioner. The apprehension of the petitioner is that unless the condition of deposit of passport imposed by the Court below is relaxed, he will lose his job.

4. Under the above circumstances, the Court below is directed to relax the condition of deposit of the petitioner's passport ordered on 28.11.2017, by accepting the bank guarantee for a sum of Rs.10,00,000/- (Rupees ten lakhs only), for the appearance of the petitioner in the aforementioned C.C. The N.B.Ws. issued on 01.12.2017 are recalled.

5. With the above directions, the Criminal Petition is allowed. In case of default of appearance as and when there is an order to do so consecutively for three occasions, the bank guarantee furnished by the petitioner shall stand forfeited.

6. Miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

DR. SHAMEEM AKTHER,J

22nd February, 2018
GHN