

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.3235 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/husband, requesting to recall the Non-bailable Warrant issued against him, vide order, dated 09.02.2018, passed in M.P.No.37 of 2017 in M.P.No.23 of 2016 in M.C.No.51 of 2008, by the Additional Family Court, Hyderabad.

2. Heard the learned counsel for the petitioner, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. Non-bailable Warrant was issued by the Court below when the petitioner fell due in payment of arrears of maintenance to the 2nd respondent/wife. The learned counsel for the petitioner is not in a position to state the amount due towards arrears of maintenance. He contends that no amount is due towards arrears of maintenance. In the circumstances, the petitioner can appear before the Court below and file a Recall Application and substantiate before the Court below that no amount is due towards arrears of maintenance. In such an event, the Court below has to recall the Non-bailable Warrant issued against the petitioner.

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

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

Dr. SHAMEEM AKTHER, J

15th March, 2018
Bvv

