

**HON'BLE SRI JUSTICE U. DURGA PRASAD RAO**

**Criminal Petition No.3582 of 2018**

**ORDER:**

Heard Sri P.Anantha Nageshwar Rao, learned counsel for petitioner and learned Public Prosecutor for the State (Telangana).

2) This Criminal Petition is filed by the petitioners/A.1 and A.2 aggrieved by the order dated 16.03.2018 in CrI.M.P.No.943 of 2018 in C.C.No.41 of 2016 passed by the learned Special Judge for Economic Offences, at Hyderabad, whereby and whereunder the learned Judge dismissed the petition filed by the petitioners under Section 70(2) Cr.P.C seeking to recall the NBW issued against A.2 and to set aside the proclamation order.

3) Learned Public Prosecutor opposed the petition.

4) Learned counsel for petitioners submitted that during the relevant period 2<sup>nd</sup> petitioner had lost his parents and he was preoccupied with his other family and financial exigencies and thereby he could not attend the Court.

5) Considering the above submission of learned counsel for petitioners and in the interest of justice, this Criminal Petition is allowed by setting aside the impugned order. The petitioners are directed to personally appear before the Trial Court on or before 06.04.2018 and file a petition afresh to recall NBW, in which case, the

Trial Court shall allow the said petition and consequently, set aside the proclamation order. The petitioners are further directed to cooperate with the Trial Court for smooth completion of the trial.

As a sequel, miscellaneous petitions if any pending, shall stand closed.

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**U. DURGA PRASAD RAO, J**

Date: 28.03.2018

scs

Note: Issue C.C by tomorrow.

