

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.4463 OF 2018

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.37 of 2018 on the file of Additional Judicial First Class Magistrate, Armoor, Nizamabad District, registered for the offence punishable under Sections 420 and 4016 of Indian Penal Code (for short "I.P.C.").

It is the case of the petitioner that initially crime was registered and while filing of charge sheet, the petitioner was not arrayed as accused, but after perusing the material on record, the Magistrate issued N.B.W and it is pending for execution.

Learned counsel for the petitioner, without touching the merits of the case, requested this Court to issue direction to Magistrate concerned to dispose of the application, if any, filed under Section 70 (2) of Cr.P.C. for recalling of N.B.W. after serving notice on Public Prosecutor, on the same day.

Acceding to the request of the learned counsel for the petitioner and without touching the merits of the case, the Magistrate concerned is directed to dispose of the application, if any, filed under Section 70 (2) of Cr.P.C. for recall of warrant, after serving notice on Public Prosecutor or any application filed, on surrender before the Magistrate, under Section 437 of I.P.C., on the same day, in accordance with law.

With the above directions, the petition is disposed of. No costs.

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

JUSTICE M. SATYANARAYANA MURTHY

01.05.2018

Ksp