

THE HON'BLE SRI JUSTICE P.KESHA RAO

CRIMINAL REVISION CASE No.1926 OF 2018

ORDER:

This Criminal Revision Case is filed questioning the inaction in disposing of CrI.M.P.No.1677 of 2018 in C.C.No.163 of 2012, on the file of the Court of XIII Additional Metropolitan Magistrate, Mahila Court, Hyderabad at Nampally, filed under Section 70(2) of Cr.P.C. to recall the Non-Bailable Warrants issued against the petitioner on 14.03.2018.

Heard the learned counsel for the petitioner as well as the learned Public Prosecutor appearing for the first respondent-State.

The facts of the case are that the petitioner herein is charged for the offences under Section 498-A IPC and Sections 3 & 4 of Dowry Prohibition Act. During the pendency of the C.C., the learned Magistrate, on 14.3.2018 issued Non-bailable Warrant against the petitioner. Consequently, the petitioner filed a petition on 30.04.2018 under Section 70(2) of Cr.P.C. to recall the warrants issued against him. Though the petition was filed on 30.4.2018, the matter is being adjourned from time to time on the ground of 'learned Assistant Public Prosecutor requested time for filing counter; he has not turned up; and appeared before the Court and again on the request of the Assistant Public Prosecutor' the matter is adjourned. The fact remains that the matter is now stands posted to 31.07.2018.

The learned counsel for the petitioner brought to the notice of this Court that the petitioner as well as the respondent No.2, though had some differences initially leading to filing of the

complaint under Section 498-A IPC and Sections 3 and 4 of Dowry Prohibition Act, now they have compromised and settled all the disputes and living together happily under one roof. In these circumstances, the petitioner, now working in Dubai, wants to come to Hyderabad and settle all the issues. But however, he apprehends that there is every possibility that he may be arrested. Therefore, questioning the pendency of the said CrI.M.P.No.1677 of 2018 filed for recall of the Non-bailable Warrants, the present criminal revision case is filed.

The learned counsel for the petitioner would contend that if the Non-bailable Warrants are recalled, the petitioner, at present, working in Dubai will come to Hyderabad and sort out all the issues including the *lis* in C.C.No.163 of 2012.

Per contra, the learned Public Prosecutor appearing for the first respondent-State would submit that the learned XIII Additional Metropolitan Magistrate may be directed to dispose of the above petition within a stipulated period.

Having regard to the said facts and also a perusal of the material on record, it is revealed that though CrI.M.P.No.1677 of 2018 is filed as long as on 30.4.2018, till date, no orders are passed. The docket proceedings filed before this Court would indicate that the matter is being adjourned at the instance of the learned Assistant Public Prosecutor. Therefore, this Court is of the opinion that the said CrI.M.P. has to be disposed of as expeditiously as possible.

In these circumstances, the Criminal Revision Case is disposed of directing the XIII Additional Chief Metropolitan

Magistrate, Mahila Court, Hyderabad at Nampally to consider and pass appropriate orders as per law in CrI.M.P.No.1677 of 2018 within a period of one week from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall also stand closed.

P.KESHAVA RAO,J

20th JULY 2018.

Note: Issue C.C by tomorrow

(B/o)

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