

HON'BLE SRI JUSTICE N.BALAYOGI

CRIMINAL REVISION CASE No.2324 of 2018

ORDER:

Heard the learned Counsel for the petitioner and learned Public Prosecutor for State of Telangana.

This Criminal Revision Case is filed aggrieved by the docket order dated 04.07.2018 passed in C.C.No.222 of 2018 (old C.C.No.64 of 2017) on the file of XXIII Special Magistrate, Hyderabad.

The impugned docket order reads thus:

“Complainant present, the accused absent no representation to him from 10.30 A.M. upto 12.35 P.M. Hence issue NBW to him.”

Learned counsel for the petitioner submits that the appearance of the petitioner – accused is dispensed with before the Trial Court in C.C.No.222 of 2018 (old C.C.No.64 of 2017) by this Court in I.A.No.1 of 2018 in CrI.P.No.3349 of 2018 dated 19.03.2018.

Learned Public Prosecutor appearing for the State of Telangana submits that the order of this Court, in I.A.No.1 of 2018 in CrI.P.No.3349 of 2018 dated 19.03.2018, has not been brought to the notice of the Trial Court and, therefore, the impugned docket order has been passed.

Petitioner is accused in C.C.No. 64 of 2017 on the file of XXII Special Magistrate, Erramanzil Hyderabad and,

subsequently, transferred to XXIII Special Magistrate, Hyderabad, and renumbered as C.C.No.222 of 2018. Petitioner filed CrI.P.No.3349 of 2018 to quash the proceedings in C.C.No.64 of 2017 on the file of XXII Special Magistrate, Erramanzil, Hyderabad. Along with the said Criminal Petition, I.A.No.1 of 2018 was filed to stay all further proceedings, including appearance, in C.C.No.64 of 2017 on the file of XXII Special Magistrate, Erramanzil, Hyderabad. By order dated 19.03.2018, this Court stayed the appearance of the petitioner in C.C.No.64 of 2017 until further orders. It seems that the Trial Court, while passing the impugned docket order dated 04.07.2018, is unaware of the order of this Court dated 19.03.2018 passed in CrI.P.No.3349 of 2018.

Hence, the Criminal Revision Case is disposed of and the Non-Bailable Warrant issued to the petitioner on 04.07.2018 is hereby recalled.

Miscellaneous petitions, if any, pending, shall stand closed.

N.BALAYOGI,J

Dt:28.08.2018
 Note:CC by 30.08.2018
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