

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.9269 of 2018

ORDER:

This Criminal Petition, under Section 482 Cr.P.C., is filed to quash the proceedings in C.C.No.437 of 2015 on the file of Judicial First Class Magistrate, Sddipet, registered for the offence punishable under Section 406 IPC.

During hearing, learned counsel for the petitioner requested this Court to recall NBW pending against this petitioner without touching the merits of the case.

This Court cannot exercise such power under Section 70 (2) Cr.P.C., in a petition filed under Section 482 Cr.P.C. However, the petitioner is permitted to appear before the trial Court and file an application under Section 70 (2) Cr.P.C. after serving notice on respondent and on filing such application, the Magistrate concerned is directed to dispose of the application on the same day in accordance with law.

Without touching the merits of the case, this Criminal Petition is disposed as requested by the learned counsel for the petitioner.

Miscellaneous Petition, if any pending, in this case, shall stand dismissed.

M. SATYANARAYANA MURTHY, J

Date: 04-09-2018
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