

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

Crl.P.No.24620 of 2017

ORDER

This petition is filed under Section 482 Cr.P.C., to quash the docket order dated 25.07.2017 passed in C.C.No.138 of 2017, which was separated from C.C.No.226 of 2012 on the file of the Judicial Magistrate of First Class at Razole, East Godavari District, registered for the offences punishable under Sections 406, 420, 447, 379, 506(2) read with Section 34 IPC, issuing NBW against the petitioners/A1 and A2.

2. Heard learned counsel for the petitioners/A1 and A2 and the learned Public Prosecutor for the State of Andhra Pradesh.

3. The petitioners herein are A1 and A2 in C.C.No.226 of 2012. But, because of delay in disposal of the case due to non-appearance of the petitioners, the Court below passed order dated 25.07.2017 separating the case against them and issuing NBW against them. The said case was numbered as C.C.No.138 of 2017 against the petitioners.

4. Though the petitioners raised several grounds in the grounds of the petition, learned counsel for petitioners requested this Court to permit the petitioners to appear before the Court and file a petition for recall of NBW pending against them.

5. Acceding to the request of the counsel for the petitioners, the petitioners/A1 and A2 are permitted to appear before the Court

below and file an application under Section 70(2) of Cr.P.C., after serving notice on the counsel for the respondent within a month, and on filing such application, the Court below is directed to dispose of the same on the same day in accordance with law. Till such time, the N.B.W. issued by the Court below shall be kept in abeyance.

6. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this petition shall stand dismissed.

9th August, 2018

sj



M. SATYANARAYANA MURTHY, J