

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1912 OF 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioner/accused No.2 to call for the records relating to C.C.No.12 of 2016 on the file of VI Additional Metropolitan Magistrate-cum-Judicial Magistrate of First Class, Special (Mobile)-cum-VI-Additional Junior Civil Judge, Cyberabad at L.B.Nagar, and quash the same.

2. Heard the learned counsel for the petitioner/accused No. 2, the learned Additional Public Prosecutor appearing for the 1st respondent-State and perused the record.

3. It has been contended that on one occasion, this petitioner/accused No.2 was absent, the Court below issued Non-Bailable Warrant against him.

4. There is specific enabling provision under Section 70 (2) Cr.P.C. to recall Non-Bailable Warrant. Therefore, the petitioner/accused No.2 has to file an application invoking the said provision. In the event of filing such application, the Court below shall consider the same in accordance with law.

5. With these observations, the Criminal Petition is disposed of. Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

Dr. SHAMEEM AKTHER, J

APRIL 10, 2019
YVL

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Date:10.04.2019

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