

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.11899 OF 2019

O R D E R

Petitioner claims to be residing and working in Singapore, and in this writ petition, he is being represented by his father, who is his GPA holder. Based on the report lodged by the wife of the petitioner, crime was registered and subsequently the case was numbered as C.C.No.54 of 2015 on the file of XIII Additional Chief Metropolitan Magistrate at Hyderabad, for the offences under Sections 498(A), 406 read with 34 IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961. In the said case, the trial court issued non-bailable warrant, and the same is pending execution. Look Out Circle (LOC) No. 1845733 to 1845733 was also issued against the petitioner. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioner submits that petitioner is willing to appear before the trial court and avail remedies available under law. He submits that if the petitioner is arrested based on LOC proceedings pending against him, he will be put to irreparable loss, and may lose his job opportunities abroad. Therefore, the learned counsel seeks for a direction to withdraw the LOC proceedings pending against the petitioner.

Learned Assistant Government Pleader for Home, submits that this court in similar facts and circumstances in W.P.M.P.NO.6711 OF 2015 in W.P.No.3213 of 2015 dated 06.03.2015 directed the petitioner therein who filed writ petition against LOC proceedings, to approach the trial court for withdrawal of the said proceedings.

Learned counsel for the petitioner and the learned Assistant Government Pleader for Home submit that the present writ petition may also be disposed of in terms of the above order of this court.

This court, in W.P.M.P.NO.6711 OF 2015 in W.P.No.3213 of 2015, dated 06.03.2015, considering the judgments in **S.MARTIN v. DEPUTY COMMISSIONER OF POLICE AND OTHERS¹** and **SUMER SINGH SALKAN; COURT ON ITS OWN MOTION RE v. ASSISTANT DIRECTOR AND OTHERS; STATE v. GURNEK SINGH ETC.²**, held that it is open for the petitioner therein to approach the trial court seeking withdrawal of LOC.

In view of the facts and circumstances of the case, and the submissions of the learned counsel and the order of this court referred above, the present writ petition is disposed of giving liberty to the petitioner to move the court of XIII Additional Chief Metropolitan Magistrate at Hyderabad, where C.C.No.54 of 2015, is pending and make appropriate application seeking withdrawal of LOC. If such an application is made by the petitioner, the said court, shall consider the same in accordance with law and pass appropriate orders expeditiously.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:26—06—2019

AVS

¹ 2014 Law Suit (Madras) 250

² 2010 Law Suit (Delhi) 1628