

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE TWELFTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No: 2827 of 2024

Between:

Sandeep Chouhan Lavudya, S/o. Harishankar Chouhan, Age: 40 years, Occ: Legal Practitioner, R/o. H.No.2-7-115, Bhavani Nagar, Hanamkonda, Warangal District.

...Petitioner/Respondent

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court for the State of Telangana at Hyderabad. **...Respondent**
2. Shobha Rani Chouhan @ Badavath Shobha Rani, W/o. Sandeep Chouhan, Age: 40 years, Occ: Housewife, R/o.H.No.2-10-305, Jyothinagar, Karimnagar Town and District.
3. Adarshini Chouhan, D/o. Sandeep Chouhan Lavudya, Age: 12 years, Occ: Student, Minor, Rep. by her Natural Guardian, Shobha Rani Chouhan @ Badavath Shobha Rani, i.e., Respondent no.2, R/ o. H. No.2-10-305, Jyothinagar, Karimnagar Town and District.

...Respondents/Petitioners

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the Docket Order dated 19-01-2024 passed in CrI.M.P.No.197 of 2023 in M.C.No.01 of 2018 on the file of the Court of the Hon'ble Judge, Family Court cum IV Additional District Judge, at Karimnagar, Karimnagar District.

I.A. NO: 1 OF 2024

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings in Docket Order dated.19-01-2024 CrI.M.P.No.197 of 2023 in M.C.No.01 of 2018 including the execution of warrant on the file of the Court of the Hon'ble Judge, Family Court cum IV Additional

District Judge, at Karimnagar, Karimnagar District, pending disposal of the above criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri NAGESHWAR RAO PUJARI, Advocate for the Petitioner and the Sri S. GANESH, Assistant Public Prosecutor on behalf of the Respondent No.1 and None Appeared for the Respondents No.2 & 3.

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2827 of 2024

ORDER:

In this petition, the petitioner is challenging the docket orders, dated 19.01.2024 passed by learned Judge, Family Court-Cum-IV Additional District Judge at Karimnagar, in CrI.M.P. No. 197 of 2023 in F.C.M.C. No.01 of 2018. By the impugned orders, Non Bailable Warrants were issued against the petitioner.

2. Heard Sri Nageshwar Rao Pujari, learned counsel for the petitioner and Sri S. Ganesh, learned Assistant Public Prosecutor for respondent No.1 – State. Perused the record.

3. Learned counsel for the petitioner submitted that respondent No.2 filed several petitions before the trial Court seeking direction to the petitioner to pay the arrears of maintenance, which are untenable in law. He further submitted that the trial Court without granting time to petitioner for filing counter, erroneously issued Non-Bailable Warrants for non-compliance of the *ex-parte* maintenance order. He also submitted that the petitioner is ready to pay 50% of the due amounts from the date of petition to till date.

4. In view of the submissions made by the learned counsel for the petitioner and also considering the facts and circumstances of the case, this Court is inclined to direct the petitioner to surrender before

the trial Court on or before 18.03.2024, and on such surrender, the trial Court is directed to recall the Non Bailable Warrants issued against the petitioner on the same day on his furnishing an undertaking to appear before it as and when required. Till such surrender of the petitioner, the Non Bailable Warrants shall not be executed. The petitioner is further directed to pay 50% of the due amounts of interim maintenance on the day of surrender before the trial Court without seeking any further adjournment, failing which, the present order gets cancelled.

5. With the above directions, the Criminal Petition is disposed of.

Miscellaneous applications, if any pending, shall also stand closed.

//TRUE COPY//

Sd/- A.V.S.PRASAD
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Judge, Family Court cum IV Additional District Judge, at Karimnagar, Karimnagar District.
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
3. One CC to SRI NAGESHWAR RAO PUJARI, Advocate [OPUC]
4. Two CD Copies

kam/gh

CHR

HIGH COURT

DATED:12/03/2024

ORDER

CRLP.No.2827 of 2024



**DISPOSING OF THE
CRIMINAL PETITION**

(7) CHR 8/4/23