

17-09-2021

ORDER

The learned counsel for complainant submitted that in this case, the accused is not secured even made good efforts by the police as well as complainant. Further argued that already this Hon`ble court issued several summons and Non Bailable Warrant, but the police failed to execute the same, the proceedings Under Section 82 and 83 Cr.P.C. is also completed, even then the complainant unable to secure the accused. Therefore the complainant lead his evidence Under Section 299 of Cr.P.C. Hence kindly this case transferred in the register of LPR.

I have perused the entire case paper as well as order sheet. The complainant filed this case against the accused under section 138 of N.I Act. Thereafter case was registered and summons as well as Non Bailable

Warrant have issued on several times, but police reported that the accused was absconded, complainant is also unable to secure the accused. Thereafter on the application filed by the learned counsel for complainant the proceedings under section 82 and 83 was also completed and published the summons on the conspicuous part of the locality of the accused, even then the accused did not secured.

Thereafter complainant himself examined as PW-1 under Section 299 of Cr.P.C and Ex-P1 to 22 are marked. Now the only left the way is the proclamation and mahazar was also conducted by the police. The said police officer examined as PW.2 and relevant documents are marked as Ex.C.1, C.2, C.2(a), C.3, C.3(a), C.4, C.4(a), C.5, C.5(a), C.6, C.6(a). On perusal of mahazar it disclose that there is no moveable or immovable property

by accused and also not traced-out belongs to the accused. Hence at this stage, it is proper to remove this case in the long pending register after obtaining necessary permission from the Hon`ble District and Session Judge. All the procedures followed by this court. Hence I pass the following :-

ORDER

This is fit case for the transfer to the register of long pending cases (register No.13). Office is directed to send this file with covering letter to the Hon`ble Prl. City Civil & Session Judge, Bengaluru Urban District by proper stitched the case paper for permission to transfer this case to the long pending register.

Await permission by Hon`ble Prl. City Civil and Session Judge, Bengaluru Urban District.

**XXIV Addl. Small Causes Judge,
& A.C.M.M. Bangalore.**