

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 891 OF 2014

Shaikh Rasheed s/o. Chhotu .. Petitioner
Age. 45 years, Occ. Labourer,
R/o. Shivajinagar, Majalgaon,
Tal. Majalgaon, Dist. Beed.

Versus

The State of Maharashtra .. Respondent

Mr.G.L. Kulkarni h/f. Mr. R.S. Deshmukh, Advocate for the
petitioner.
Mr.U.S. Mote, APP for respondent/State.

**CORAM : SMT.SADHANA S. JADHAV, J.
DATED : 17.04.2015**

P.C. :-

1. Heard. Rule. Rule made returnable forthwith with the consent of the parties.

2. The petitioner herein is an accused in R.C.C. No.236 of 1994, pending before the J.M.F.C., Basmatnagar, for offences punishable under sections 437, 380, 414 and 411 of Indian Penal Code. After filing of charge-sheet the petitioner was enlarged on bail. The petitioner has not attended the proceedings before learned J.M.F.C. and hence non-bailable warrant was issued. The case was

pending since 1994 and in-spite of issuance of non-bailable warrant, the petitioner had not attended the said proceedings and hence learned J.M.F.C. had issued proclamation under section 82 of the Cr.P.C. The petitioner herein challenged the said order by filing Criminal Revision No.6 of 2014. Learned Additional Sessions Judge, Basmatnagar, vide order dated 12.02.2014 has rightly rejected the Revision Application on the ground that the issuance of non-bailable warrant as well as proclamation under section 82 of the Cr.P.C. are interlocutory orders and cannot be the subject matter of challenge.

3. In view of this, this Court is not inclined to interfere with the order passed by learned Sessions Judge in Criminal Revision No.6 of 2014. Hence, the writ petition being sans merit, stands rejected. Rule discharged.

[SMT. SADHANA S. JADHAV, J.]