

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.626 OF 2015
WITH
CRIMINAL APPLICATION NO.627 OF 2015**

N.K.Oswal .Applicant

v/s.

Krishna Texport Industries Ltd. .Respondents
& anr.

Mr.S.V.Marwadi i/b. Mr.K.Garg, Advocate, for the
Applicant
Mr.Kiran Kulkarni i/b. M/s.Kulkarni &
Associates, Advocate, for the Respondent No.1
Mr.J.H.Ramugade, APP, for the Respondent No.2 –
State

CORAM : SMT.ANUJA PRABHUDESSAI, J.

DATE : 15.10.2015

P.C.

. By these applications, the applicant
has sought to quash and set aside the order
dated 29.05.2015 issuing proclamation and non-
bailable warrant dated 07.08.2014 against the
applicant in C.C.No.1321/SS/2005 pending before
the learned Metropolitan Magistrate, 14th Court,
Girgaum, Mumbai.

2. Heard learned counsel for the applicant, learned counsel for the respondent No.1 and the learned APP for the respondent No.2 – State.

3. I have perused the impugned order. The impugned order does not contain any reason and does not indicate that there were reasons to believe, that the applicant against whom warrant had been issued has absconded or was concealing himself so that such warrant could not be executed. Since the order does not reflect any reason, the same is quashed and set aside.

4. The applicant shall remain present before the trial Court on 06.11.2015 at 11.00 a.m. and shall furnish bail bonds to the satisfaction of the Magistrate.

5. The learned counsel for the respective

parties submit that an endeavour will be made to settle the matter amicably. In case, the parties do not arrive at an amicable settlement by 16.11.2015, the learned Magistrate shall proceed with the trial and dispose of the matter as expeditiously as possible and in any event, within a period of six months from the date of the order.

(ANUJA PRABHUDESSAI, J.)