

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 426 OF 2017

Shri Yogesh Kannubhai Darji	...	Petitioner
Vs.		
The State of Maharashtra	...	Respondent

Ms. Rushita Jain i/b. Mr. Samarth S. Karmarkar, Advocate for the petitioner
Mr. V.V. Gangurde, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV, J.
DATE : 19th April, 2017.

P.C.

Heard learned counsel for the petitioner. Rule. Rule made returnable forthwith.

2. It appears that the petitioner had not complied with the order passed by the High Court. The application seeking exemption was rejected. Thereafter, non-bailable warrant has been issued on 7.10.2016. The petitioner had filed an application through Advocate seeking cancellation of non-bailable warrant. This would not be an appropriate modality.

3. The learned counsel for the petitioner, upon instructions, submits that the petitioner would appear before the Metropolitan Magistrate, 47th Court, Esplanade, Mumbai in C.C. No.366/PW/2015 on or

before 24.4.2017 and file an application in person seeking cancellation of non-bailable warrant. The learned Magistrate shall consider the said application on its own merits. On this condition, the execution of non-bailable warrant is stayed till 5.00 p.m. on 24.4.2017. Upon failure to appear before the Magistrate on 24.4.2017, the non-bailable warrant issued on 7.10.2016 be executed forthwith.

4. Petition stands dismissed. Rule is discharged.

(SMT. SADHANA S.JADHAV, J.)