

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

CRIMINAL WRIT PETITION NO. 4566 OF 2016

Rajesh K. Padmanabhan. ... Petitioner.

Versus

The State of Maharashtra & anr. ... Respondent.

Mr. Ajay Laxman Bhise, advocate for petitioner.

Ms. Anamika Malhotra, APP for State.

CORAM : SMT.SADHANA S. JADHAV,J

DATE : MARCH 31, 2017

P.C.:

1 Heard the learned Counsel for the Petitioner and the learned
APP for State.

2 Rule. Rule made returnable forthwith with the consent of the
parties.

3 In the present petition, the Petitioner prays for quashing the orders dated 12/2/2015 and 23/5/2016 passed against the Petitioner in C.C.No. 59/PW/2015 pending before Additional chief Metropolitan Magistrate, 47th Court, Esplanade, Mumbai.

4 The learned Counsel for the Petitioner upon instructions submits that the petitioner would appear before the learned Magistrate on 10th April, 2017 and make an application for recalling the non-bailable warrant and also given an undertaking that he shall remain present before the Court on each and every stipulated date.

5 In view of this, the order issuing non-bailable warrant need not be quashed. However, since the Petitioner is to appear before the learned Magistrate on 10/4/2017, execution of the non-bailable warrant is stayed till 5 p.m. of 10/4/2017.

6 In the eventuality that the Petitioner does not appear before the learned Magistrate on or before 10th April, 2017, the non-bailable warrant be executed forthwith.

7 The rule is made absolute in the above terms. Writ Petition is disposed of accordingly.

Parties to act on the authenticated copy of this order.

(SMT. SADHANA S. JADHAV,J)