

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO. 236/2005

Raju Samadhan Tayade

..VS..

State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.A. Choube, Advocate for the appellant
Ms. S.V. Kolhe, APP for the respondent

CORAM : Z.A.HAQ, J.

DATED : 06/09/2018

This appeal is filed by the appellant/accused to challenge the judgment passed by the Sessions Court convicting him for the offences punishable under Section 363 & Section 366 of the Indian Penal Code. The appeal is admitted on 13/04/2005 and it was directed that the appellant/accused be released on bail. The appellant is on bail. The advocate representing the advocate earlier is appointed as the Judicial Officer and therefore by the order dated 27/02/2018, this Court directed that notice be issued to the appellant to engage another advocate. The notice could not be served. By the order dated 20/08/2018, this Court recorded that the appellant is supposed to know that his advocate is not practicing now and as the appellant is released on bail by this Court, it is his duty to make appropriate arrangement to assist the Court at the time of hearing of the appeal. This Court directed issuance of non-bailable warrant against the appellant/accused to secure his presence before this Court and appointed Shri A. Choube,

Advocate to argue the appeal. The appeal was listed before the Court on 30/08/2018 and the office note shows that the non-bailable warrant issued against the appellant/accused was not executed. In these circumstances, this Court was constrained to pass the order calling the explanation from the concerned Police Officer as to why the non-bailable warrant was not executed.

Today, the appellant identified by Shri A. Choube, Advocate is present in the Court. Shri Katore, PSI, Police Station Jalamb is also present in the Court.

The presence of the appellant before this Court today shows that he had been watching the proceedings and had been avoiding the attendance before the Court. The Police Officials are put to unwanted duty of searching him to execute the non-bailable warrant.

The appellant/accused shall deposit Rs. 2000/- with the PSO, Jalamb and produce receipt of it on record of this appeal within four weeks.

JUDGE

Ansari