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

**WRIT PETITION NO.653 OF 2019
WITH
WRIT PETITION NO.654 OF 2019.**

Amit Kumar Sen and ors ... Petitioners.

V/s.

State of Maharashtra and anr ... Respondents

Mr. Dadasaheb Kharmate a/w Ms. Vrishali Raje and
Ms. Swapnali Mestry i/by Rahul D. Kharmate, fo the
Petitioners.

Mr. A. R. Patil, for respondent State.

CORAM : MRS. MRIDULA BHATKAR, J.

DATE : 8th FEBRUARY, 2019.

P.C. :

1] Not on board.

2] Upon mentioning, taken on today's board.

3] These petitions are taken up for final hearing at the stage
of admission itself with the consent of learned counsel for both the
parties.

4] By these petitions, the petitioners are seeking cancellation

of the Non Bailable Warrant dated 03.01.2019, issued against them by the learned Chief Judicial Magistrate, Raigad at Alibag., in Regular Criminal Case Nos. 186 of 2009 and 263 of 2009.

5] Heard the submissions of learned counsel for the petitioners and learned APP. Perused the order and the applications filed by accused seeking exemption for accused Nos.7 and 12 to 17 (in R.C.C. No.263 of 2009) and for accused No.7, 13 to 18 (in R.C.C. No.186 of 2009).

6] I am informed that these Petitioners-accused are the residents of Kolkata. They had appeared before the Court of Chief Judicial Magistrate, Raigad at Alibag in the year 2009 and had obtained bail. They have challenged the order of framing of charge, by filing Revision and the said Revision is pending before the learned Sessions Judge. It is submitted by learned counsel for the petitioners that in the said Revision Application, petitioners have filed an application for stay of the proceeding before Chief Judicial Magistrate, which is pending.

7] In view of the facts and circumstances, the learned Sessions Judge is directed to the decide the applications of the

petitioners, which are now scheduled on 16th February, 2019, on the same day or within 15 days thereafter.

8] Till then the orders of Non Bailable Warrant issued against the petitioners in above cases are kept in abeyance.

9] Both the petitions are disposed off accordingly.

[MRS. MRIDULA BHATKAR, J.]