

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

CRIMINAL APPLICATION NO.382 OF 2019

Sarang Wadhawan
Managing Director
Housing Development & Infrastructure Ltd., ... Applicant
Mumbai

Vs

The State of Maharashtra & anr. ... Respondents

Mr.Subir Kumar with Sagar Shetty for the Applicant

Mr.A.R. Patil, APP, for the Respondent – State
Applicant present in Court.

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: MARCH 22, 2019

P.C.:

1. In this application moved under section 482 of Criminal Procedure Code, the order dated 13.2.2019 passed by Respondent – State Consumer Disputes Redressal Commission, issuing non-bailable warrant against the applicant for securing his presence on 25.3.2019 before the the said Consumer Forum.

2. The learned Counsel for the applicant submits that the order is issued against the Managing Director of the company, who is not

a party before the Consumer Forum. However, pursuant to the said warrant, the General Manager of the Company appeared before the Consumer Forum. The learned Counsel submits that he is ready with a Demand Draft of Rs.2,49,000/-, which is inclusive of interest @ 12% from the date of the order i.e., 8.2.2018. He prays that the order of warrant against the applicant be cancelled.

3. Learned Prosecutor points out the order passed by the Respondent / Consumer Forum, especially the operative part 2 of the impugned order.

4. This Court would not have entertained this application as it is the duty of the applicant to appear before the Consumer Forum and make grievance before the Court and seek bail from the said Court. However, today, as the applicant is ready with the money and submits that he will appear before the Consumer Forum, the following order is passed:

- i) The applicant is protected from arrest in Execution Application No.18/87 in Complaint Case No.15/182.

ii) The applicant shall appear before the Consumer Forum at 11am on 25th March, 2019. On appearance of the applicant before the Consumer Forum on 25.3.2019, the protection granted by this Court herein will be over and the applicant to seek necessary orders from the Consumer Forum.

5. The application is disposed of accordingly.
6. All concerned to act on an authenticated copy of this order.

(MRIDULA BHATKAR, J.)