

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1741 OF 2018

Satyanarayan D. Agarwal	.. Petitioner
Versus	
The State of Maharashtra & Ors	.. Respondents

...

Ms.Apurva Thipsay with Prayag Joshi i/b Bipin Joshi for the petitioner.
Mr.Gaurav Gadodia for Respondent No.2.
Mr.H.J. Dedhia, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 24th SEPTEMBER, 2019

P.C:-

1 The parties are at ad-idem to the fact that on 23rd April 2019, the petitioner Satyanarayan Agarwal (Original Accused No.2), resident of 6724, Quit Hours Court, Columbia (USA) had put his appearance before the Metropolitan Magistrate, Andheri, Mumbai. It is also intimated by the learned counsel for the petitioner that he has moved an application for exemption before the said Court which is pending for consideration and has been posted for hearing in the month of December 2019.

In light of the said development in the matter, the challenge to the non-execution of the nonailable warrants against the petitioner does not survive.

2 Needless to say that the issuance of proclamation against the petitioner which was an issue, is resolved by this Court since the appearance is already put by the petitioner (Accused No.2) in the proceedings before the Metropolitan Magistrate.

Needless to say that the learned counsel for the complainant is at liberty to oppose the application for grant of exemption and upon consideration of the contention of the respective parties, the Metropolitan Magistrate would pass appropriate orders in accordance with law.

SMT. BHARATI DANGRE, J