

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

CRIMINAL WRIT PETITION NO. 3832 OF 2019

Aashish Singhy

...Petitioner

Versus

The State of Maharashtra

...Respondents

Adv. Sanjeev Kadam i/b. Vilasini Balasubramaniam for petitioner.

Adv. Amita Kuttikrishnan for CBI.

Mrs. G.P.Mulekar, APP for State.

CORAM : S. S. SHINDE, J
DATE : 2nd August 2019

P.C.

1. Heard learned counsel appearing for the parties. It appears that, one of the ground to reject the application below Exhibit-93 filed by the petitioner was that, the petitioner was not present when the said application was heard and considered by the Learned Special Judge (CBI), Greater Bombay.

2. Learned counsel appearing for the petitioner on instructions submits that, petitioner may be granted limited protection till he appears before the Special Court and Special Court be directed to consider the fresh application for cancellation of Non Bailable Warrant and proclamation.

3. Learned counsel appearing for the respondents opposed the prayer of the petitioner, since according to her, petitioner did not cause appearance
Bhagyawant

pursuant to the issuance of Non Bailable Warrant.

4. In the light of statements made across the bar and since the petitioner is ready to appear before the Learned Special Judge (CBI), Greater Bombay, the ends of justice would met, if limited protection is granted to the petitioner till he appears before the said Court.

5. In the light of above, impugned order is quashed and set aside. Petitioner to appear before the said Court on 9th August 2019 and file fresh application for cancellation of Non Bailable Warrant and proclamation. Till 9th August 2019, the order of issuance of Non Bailable Warrant and proclamation shall not be executed. The concerned Court to consider the application of the petitioner on 9th August 2019 and take appropriate decision.

6. With the above observations, petition stands disposed of.

[S. S. SHINDE , J]