

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

CRIMINAL WRIT PETITION NO.58 OF 2019

[Shri Sachin Pandey .vs. State of Maharashtra, through PSO, Yavatmal]

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

Court's or Judge's orders

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Shri R.R. Rajkarne, Advocate for petitioner,
Shri M.J. Khan, APP for respondent-State.
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CORAM : MRS. SWAPNA JOSHI, J.

DATED : APRIL 03, 2019.

The petitioner-original accused has been charged for the offence punishable under Sections 376, 417 and 493 of the Indian Penal Code. The trial is pending before the Additional Sessions Judge, Yavatmal vide Sessions Trial No.98/2013.

During the pendency of the trial, as the petitioner remained absent, the learned trial Court issued non-bailable warrant against the accused. By this criminal writ petition, the said order is impugned by the petitioner.

Heard the learned advocate for the petitioner and the learned APP for the respondent-State.

Learned advocate for the petitioner submits that as the petitioner had gone out of station for an important and unavoidable work, the petitioner could not remain present in the court on the adjourned date and the petitioner undertakes to remain present in the Court during the pendency of the trial as and when required.

For the reasons mentioned in the application and considering that the petitioner undertakes to remain present before the trial court on the adjourned date, the petition stands disposed of with a direction that the trial court to decide the application filed by the petitioner for cancellation of non-bailable warrant on its own merits. Till that time, no coercive action be taken against the petitioner. The application, if filed,

be decided within a period of two weeks. With this order, the petition stands disposed of.

JUDGE

Gulande