

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 950 OF 2021

Haribhau Dhondiba Manjramkar ... Petitioner

Versus

The State of Maharashtra
and another ... Respondents

....

Mr. Govind G. Suryawanshi, Advocate for the Petitioner
Mr. Sachin J. Salgare, APP for Respondent No.1 / State

....

**CORAM : V. K. JADHAV AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 20th OCTOBER, 2021

PER COURT:-

1. Heard.

2. In compliance with the order dated 11.10.2021, the learned Chief Judicial Magistrate, Nanded has submitted a status report of RCC No.753 of 2009. On perusal of the same, it appears that the trial Court has framed the charge on 08.02.2013. However, the prosecution is yet not examined any witness. The learned Chief Judicial Magistrate, Nanded has reported that the original accused no.1 remained absent, and therefore, the non-bailable warrant has been issued against him.

However, till this date, accused no.1 is not served with non-bailable warrant, which caused delay in the trial.

3. Learned counsel for the petitioner submits that the petitioner is of 67 years of age. Learned counsel submits that the petitioner is attending Court dates regularly. The charge is now framed against all the accused persons and accused no.1 is still absconding. He submits that necessary directions may be given to the trial Court to dispense with the attendance of the petitioner.

4. We grant liberty to the petitioner to file an application for exemption in attendance. On filing of such application, it is for the trial Court to consider the same on its own merits at least till accused no.1 is brought before the Court under the execution of the non-bailable warrant or otherwise.

5. The criminal writ petition is disposed of.

[SHRIKANT D. KULKARNI]
JUDGE

[V. K. JADHAV]
JUDGE